

## House of Lords

### Written answer

13 December 2018

#### NHS: Negligence

Asked by **Lord Storey**

To ask Her Majesty's Government, further to the Written Answer by Lord O'Shaughnessy on 5 November (HL10962), whether the figures for the total government spend on clinical negligence in 2016–17 and 2018–19 include legal costs.

[HL12091]

**Lord O'Shaughnessy:** NHS Resolution handles clinical negligence claims on behalf of National Health Service organisations and independent sector providers of NHS care in England. As stated in my answer of 5 November, the total Government spend on clinical negligence was £1.7 billion in the financial year 2016-17 and £2.2 billion in the financial year 2017-18. These figures did include legal costs and NHS Resolution has provided the following information about legal costs in these two financial years.

Legal costs for 2016-17 were:

- Claimant costs: £498 million
- Defence costs: £126 million

Legal costs for 2017-18 were:

- Claimant costs: £467 million
- Defence costs: £129 million

Note: Claimant costs are legal costs incurred by the claimant in bringing a claim for compensation. Defence costs are legal costs incurred by NHS Resolution in dealing with the claim received.