



Resolution

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April 2025
FOI_7037

The following information was requested on 10 February 2025:

I would like to submit the following FOI request regarding the inquests into the deaths of former patients of breast surgeon Ian Paterson in Birmingham.

The information we would like is as follows:

- 1. How much money has been allocated to cover the costs of the **inquests** into the deaths of patients of Ian Paterson?
Please display this information as a total, but also separate out into categories such as solicitors to the inquest, legal aid (please specify number of claimants), travel expenses (please specify number of claimants), expert witness payments (please specify number of claimants) and any other expenses categories which are relevant, such as refreshments etc.*
- 2. If any contracts are related to the inquests, please disclose copies of these (including all indexes, appendices and supplements) and the bids to tender.*
- 3. How much of this money is funded by the tax payer?
Please tell us the total figure and as a percentage proportion of the total budget.*
- 4. As of January 31 2025, how much has been spent so far on these inquests?
Please tell us the total amount, but also separate out into categories as above.*

Our Response

We have interpreted your request to mean NHS Resolution payments on all Ian Paterson inquests.

In response to Q1: *How much money has been allocated to cover the costs of the **inquests** into the deaths of patients of Ian Paterson?*

We do hold a reserve to cover the cost of future representation at inquests.

NHS Resolution considers that this information is exempt from disclosure under s.36 (2)(c) and s.43 (2) of Freedom of Information Act 2000 (FOIA).

In consideration of this request, NHS Resolution concludes that the disclosure of this information would prejudice the effective conduct of public affairs (s.36 (2) (c) and prejudice commercial interests (s.43 (2)). Disclosing precise values of liabilities accounted for, and the documentation related to this would be likely to encourage claims informed by that amount rather than conventional civil liability principles.

NHS Resolution has given due consideration to the public interest test when relying on the above listed exemptions, s.36(2)(c) and s.43(2) and concludes that the factors in favour of non-disclosure outweigh the factors in favour of disclosure under the public interest test.

Actual experience may differ considerably from the estimates that have been accounted for, however, it will be several years before we are likely to be able to confirm that, due to the time lag between incidents occurring, claims being received, and then being settled, particularly for clinical negligence claims.

NHS Resolution has considered all the relevant factors in favour of disclosure, including:

- The public interest in favour of disclosure inherent in FOIA.
- Transparency and accountability around NHS Resolution's potential costs of clinical negligence claims.

NHS Resolution has weighed these against the factors in favour of maintaining the exemptions, including:

- The strong public interest in the proper and effective discharge of NHS Resolution's statutory duties and responsibilities, which include exercising its functions in an efficient, effective and economical way;
- The public interests in the timely and cost-effective resolution of complaints and claims;
- The public interest in the costs of any claims not being compounded by 'anchoring' claims to reserved amounts.

In light of all of the factors, NHS Resolution concludes that the public interest favours non-disclosure of the requested information.

In response to Q2: *If any contracts are related to the inquests, please disclose copies of these (including all indexes, appendices and supplements) and the bids to tender.*

We do not hold a contract specific to the inquests.

In response to Q3: *How much of this money is funded by the taxpayer? Please tell us the total figure and as a percentage proportion of the total budget.*

All of it is funded by the taxpayer.

In response to Q4: *As of January 31, 2025, how much has been spent so far on these inquests?*

The value of all legal costs up until 31 January 2025 is £163,522.38.

Further to our obligations to provide advice and assistance, you may find it helpful to review the work of the [Getting It Right First Time team](#) with whom NHS Resolution has been working with to undertake in-depth analysis of our claims data. They have produced a number of [reports](#) from analysing our claims data which has been shared following approval of the confidentiality advisory group to the use of confidential patient information for this purpose.

If you would like to know how data is categorised in our Claims database please see the following link: [Glossary](#)

This concludes our response to your request.

If you are not satisfied with the service that you have received in response to your information request, it is open to you to make a complaint and request a formal review of our decisions. If you choose to do this, you should write to [Joanne Appleby](#), Deputy Data Protection Officer for NHS Resolution, within 28 days of your receipt of this reply. Reviews of decisions made in relation to information requests are carried out by a person who was not involved in the original decision-making about the request.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a review of the decision. Generally, the Information Commissioner will not make a decision unless you have exhausted the local complaints procedure. The address of the Information Commissioner's Office is:

Wycliffe House
Water Lane
Wilmslow
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