



# Resolution

8th Floor,  
10 South Colonnade  
Canary Wharf  
London  
E14 4PU

Telephone: 020 7811 2700

August 2025  
FOI\_7329

The following information was requested on 19 July 2025:

*Here is my Freedom of Information request:*

***How many of the 24 clinical negligence claims taken to trial in 2024/25 (as set out in pages 45 and 46 of the NHS Resolution Annual report and accounts 2024/25) went to the (1) High Court, or (2) County Court?  
In how many trials in the (1) High Court, (2) County Court were damages awarded?***

## Our Response

Thank you for your request for information. Please find attached the information requested. This information only covers England and not the rest of the UK.

**Please note:** We have recently changed the way we report on our FOIs to align better with our published documents. Streamlining our reporting on FOIs with our annual published reports may mean a variation in snapshot dates. This means this data may not align with previous similar requests and it may not be possible for you to compare this information with a previous request. For further information, please refer to <https://resolution.nhs.uk/resources/understanding-nhs-resolution-data>.

Claims notified/received in any given year will often relate to incidents that have occurred many years prior. Due to the nature of clinical negligence claims and the level of investigation needed to bring them to a resolution, claims received and notified in a specific year may take years to settle and close. They are not guaranteed to be settled and closed in the same year. As such, there will be a time gap between incident and claim closure.

Due to the way in which data is extracted, it is also possible that the same claim may appear more than once in a dataset, across different year groups e.g. where the case has been closed (as nil damages payment), challenged, reopened, and closed again at conclusion.

**Table 1 shows:** - Number of Clinical Claims closed (or settled, including as a PPO) in the financial year 2024/25 that went to trial, broken down by court type.

**Table 2 shows:** - Outcome of Clinical Claims closed (or settled, including as a PPO) in the financial year 2024/25 that went to trial, broken down by court type and claim outcome.

## **PPOs**

PPOs are an agreement between the parties, to pay an initial lump sum and regular future payments (PPO damages) related to the injured party's ongoing needs, usually care for life i.e., a percentage of the full value of the claim is paid at the point of settlement (lump sum damages) with the balance paid at regular intervals over subsequent years.

## **Low figures**

We have not provided the information for low figures involved, as we believe that disclosure of information with this level of granularity is exempt under Section 40(2) by virtue of section 40(3A) (a) of the FOI Act, where disclosure to a member of the public would contravene one or more of the data protection principles. The data protection principles are set out in Article 5 of the General Data Protection Regulation. We take the view that it would not be fair or lawful (given the sensitive and confidential nature of the information held) to disclose such information and any disclosure would therefore contravene the first data protection principle.

In some instances, the low numbers of claims (fewer than 5) in each category, the likelihood exists that individuals who are the subject of this information may be identified either from this information alone, or in combination with other available information. In addition to this, as this information is considered to be sensitive personal data (the data subjects' medical condition); NHS Resolution believes it has a greater responsibility to protect those individuals' identities, as disclosure could potentially cause damage and/or distress to those involved.

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.

Please refer to [Understanding NHS Resolution data](#) guidance for further details on how our Claims database is categorised.

**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  
Cheshire  
SK9 5AF

<https://ico.org.uk/>

## TABLE OF CONTENTS

**NB: Number of claims fewer than 5 (and any associated values, within the same row) are masked with a "#" (in accordance with Data Protection guidelines). Accordingly, some total values may also be approximated to prevent masked values to be deduced through reverse calculation.**

[Table 1: Number of Clinical Claims closed \(or Settled, including as a PPO\) in the financial year 2024/25 that went to trial, broken down by court type.](#)

[Table 2: Outcome of Clinical Claims closed \(or Settled, including as a PPO\) in the financial year 2024/25 that went to trial, broken down by court type and claim outcome.](#)

Table 1: Number of Clinical Claims closed (or Settled, including as a PPO) in the financial year 2024/25 that went to trial, broken down by court type.

---

| Court Type   | No. of Claims |
|--------------|---------------|
| County Court | 9             |
| High Court   | 15            |
| Grand Total  | 24            |

Table 2: Outcome of Clinical Claims closed (or Settled, including as a PPO) in the financial year 2024/25 that went to trial, broken down by court type and claim outcome.

---

| Claim Outcome       | No. of Claims |
|---------------------|---------------|
| <b>County Court</b> | <b>9</b>      |
| Damages Paid        | #             |
| Nil Damages         | #             |
| <b>High Court</b>   | <b>15</b>     |
| Damages Paid        | 7             |
| Nil Damages         | 8             |
| <b>Grand Total</b>  | <b>24</b>     |