



Resolution

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August 2026
FOI_7994

The following information was requested on 23 July 2026:

Under the Freedom of Information Act 2000, I request information regarding total government spending on legal fees and expenses relating to clinical negligence claims in England.

Please note that this request relates exclusively to legal costs/fees and disbursements and explicitly excludes any damages or compensation payouts made to claimants.

For each of the last two financial years (2023/24 and 2024/25), please provide:

1. Total Claimant Legal Costs: The total amount paid out by NHS Resolution in relation to claimant legal fees, disbursements, and expenses across all clinical negligence schemes.

2. Total Defence / NHS Legal Costs: The total amount spent by NHS Resolution / NHS trusts on defence legal fees, disbursements, and associated legal representation across all clinical negligence schemes.

3. Breakdown by Scheme: A breakdown of the above claimant and defence legal costs, where held, by individual scheme (e.g., Clinical Negligence Scheme for Trusts (CNST), Existing Liabilities Scheme (ELS), etc.).

4. Disbursements Breakdown: Where recorded separately, a breakdown of total expenditure on expert witness fees or other non-solicitor disbursements included within overall legal cost expenditure.

If any part of this request exceeds the cost or time limit under Section 12 of the FOI Act, please prioritize Questions 1 and 2.

I would prefer to receive this information in an electronic format (such as PDF or Excel).

Our Response

Thank you for your request for information regarding legal costs and expenses relating to clinical negligence claims in England for the financial years 2023/24 and 2024/25.

Most of the information you have requested is already publicly available and can be found within NHS Resolution's published [Annual statistics - NHS Resolution](#).

Specifically, the file titled: [Supplementary Annual Statistics 2024-25](#) contains the relevant information, including:

Questions 1, 2 and 3

- **Total Claimant Legal Costs**

Information relating to claimant legal costs paid across NHS Resolution clinical negligence schemes for the financial years requested is in [sheet 5 \(broken down by schemes and damages value bands\)](#) and [sheet 6 \(broken down by schemes and specialty\)](#) of the publication.

- **Total NHS Legal Costs**

Information relating to NHS legal costs incurred in managing clinical negligence claims is in [sheet 7 \(broken down by schemes and damages value bands\)](#) and [sheet 8 \(broken down by schemes and specialty\)](#) of the publication.

Please note that the above costs include disbursements (such as expert fees) and VAT, where applicable.

In relation to your request in **Question 4**

NHS Resolution does not hold information on expert witness fees or other non-solicitor disbursements in the specific format and breakdown requested. We do not record or report disbursements separately in a way that would enable us to provide the breakdown sought.

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:

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Water Lane
Wilmslow
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