



# Resolution

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February 2019  
FOI\_4327

The following information was requested on 5 February 2020:

*In relation to the Freedom of Information request on the clinical negligence legal fees bill paid out by the NHS which also says "Estimates published last year put the total cost of outstanding compensation claims at £83bn." in this BBC article: <https://www.bbc.co.uk/news/health-51180944>*

*What percentage (and cost) of that figure has been paid out to people that have incurred injuries or death from mental health medications or Electroconvulsive therapy (ECT)?*

## **Our Response**

Please note the figure of £83bn is not expenditure. This is the value of liabilities arising from incidents that occurred before 31 March 2019, both in relation to claims received, and our estimate of claims that we are likely to receive in the future from those incidents which have occurred but have yet to be reported as claims. For further details please see our [annual report](#).

The actual expenditure on clinical negligence claims in 2018/19 was £2.4bn.

We have not received any claims in respect of electro-convulsive therapy.

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 [Tinku Mitra](#), Head of Corporate and Information Governance 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