



Resolution

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July 2021
FOI_5096

The following information was requested on 15th June and clarified on 21 June 2021:

1. *How many obstetric legal cases a year (from 2010-20)?*
2. *What is the total cost in legal fees per year (2010-20)?*
3. *What percentage legal cases and fees are due to obstetric cases?*

[Clarified on 21 June 2021]

Q1 – please can we know both - the numbers closed both with damages paid and without damages paid and the number of cases received.

Q3 – again, please can we have information on both; the number of claims received but also those closed (with and without payment).

Our Response

Please find attached the requested information. This information only covers England and not the rest of the UK.

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

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

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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.

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[Table 2: Number and legal costs of Obstetrics Claims Closed \(includes the legal costs paid for any claims settled on a periodical payment order basis\) with damages paid between financial years 2010/11 to 2019/20](#)

[Table 3: Number and legal costs of Obstetrics claims closed with Nil damages paid between financial years 2010/11 to 2019/20](#)

Table 1: Total number of Clinical Claims and Obstetrics Claims received between financial years 2010/11 to 2019/20, and the number of Obstetrics claims as a percentage of the total number of Clinical Claims

Notifications Y

Year of Notification	No. of clinical claims	No. of Obstetrics Claims	Percentage of Obstetric claims received of all clinical claims received
2010/11	8,656	1,092	13%
2011/12	9,143	1,065	12%
2012/13	10,129	1,175	12%
2013/14	11,945	1,302	11%
2014/15	11,497	1,179	10%
2015/16	10,965	1,104	10%
2016/17	10,686	1,120	10%
2017/18	10,668	1,088	10%
2018/19	10,672	1,071	10%
2019/20	11,682	1,018	9%
Grand Total	106,043	11,214	11%

Table 2: Number and legal costs of Obstetrics Claims Closed (includes the legal costs paid for any claims settled on a periodical payment order basis) with damages paid between financial years 2010/11 to 2019/20

Closed_Settled	Y
Claim_Outcome_FOI	Damages Paid
Speciality1L1	Obstetrics

Year of Closure (Settlement Year for PPOs)	No. of Obstetrics Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid	Percentage of obstetrics legal costs (NHS + Claimant) relating to the total legal costs for all clinical claims with damages paid
2010/11	625	11,776,209	33,428,804	17%
2011/12	625	8,714,571	29,941,876	17%
2012/13	662	9,810,604	35,751,817	18%
2013/14	601	7,365,711	32,323,257	14%
2014/15	619	8,794,851	38,890,586	16%
2015/16	536	7,208,021	34,571,370	13%
2016/17	649	9,902,108	45,674,685	13%
2017/18	670	10,873,294	47,655,810	13%
2018/19	626	11,519,913	44,893,362	13%
2019/20	697	11,707,303	44,412,942	12%
Grand Total	6,310	97,672,585	387,544,510	14%

Table 3: Number and legal costs of Obstetrics claims closed with Nil damages paid between financial years 2010/11 to 2019/20

Closed_Settled	Y
Claim_Outcome_FOI	NIL Damages
Speciality1L1	Obstetrics

Year of Closure (Settlement Year for PPOs)	No. of Obstetrics Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid	Percentage of obstetrics legal costs (NHS + Claimant) relating to the total legal costs for all clinical claims with NIL damages
2010/11	422	3,870,987	50,961	36%
2011/12	460	2,074,494	14,871	24%
2012/13	450	2,744,138	3,661	25%
2013/14	546	2,648,639	2,350	21%
2014/15	593	2,572,113	35,274	18%
2015/16	547	2,977,867	21,802	18%
2016/17	583	4,766,590	55,462	22%
2017/18	494	3,679,139	98,627	18%
2018/19	493	3,535,745	44,471	16%
2019/20	435	3,829,274	60,243	18%
Grand Total	5,023	32,698,986	387,723	21%