

House of Lords

Written Answers

18 March 2020

NHS: Negligence

Asked by *Lord Hunt of Kings Heath*

To ask Her Majesty's Government, pursuant to section 2(4) of the Law Reform (Personal Injuries) Act 1948, how much was paid in damages for clinical negligence claims by both (1) settlement, and (2) judgment award, above what would have been paid in accordance with common law negligence principles of compensation in the last three years for which the information is available.

[HL2266]

Lord Bethell: NHS Resolution handles clinical negligence claims on behalf of National Health Service organisations and independent sector providers of NHS care in England.

NHS Resolution does not hold the information requested and does not make estimates of how much the additional costs of section 2(4) are when settling the payment of clinical negligence claims.

Personal Injury: Compensation

Asked by *Lord Hunt of Kings Heath*

To ask Her Majesty's Government what plans they have to repeal section 2(4) of the Law Reform (Personal Injuries) Act 1948. [HL2267]

Lord Bethell: The Department is working with the Ministry of Justice, other Government departments and NHS Resolution, looking at a wide range of options to address the drivers of cost of clinical negligence claims.

We will update Parliament in due course.