

04/02/2015

BY EMAILTel: 028 9536 3863
Email: FOI.BSO@hscni.net

Our Ref: FOI 2-2015

Dear Mr [REDACTED],

Your request for information was received on January 7th 2015 and was dealt with under the terms of the Freedom of Information Act 2000. Please be advised that the Business Services Organisation (BSO) has now completed its search for the information you requested with regards to your specific queries below.

1 The amount paid in defence solicitors' fees by the Department of Health/BSO to defend medical negligence cases for each of the five Northern Ireland health trusts in each of the past three accounting years

The table below sets out an estimate of the cost of the Medical Negligence portion of the SLA for each Trust. This is only an estimate based upon the percentage of time spent on the relevant area of law as each SLA covers all areas of law and is not sub-divided.

Medical Negligence only cost estimate	2011/12	2012/13	2013/14
Belfast HSC Trust	£279,217	£279,635	£406,232
Northern HSC Trust	£159,552	£132,717	£117,603
SE HSC Trust	£192,157	£193,675	£157,469
Southern HSC Trust	£163,861	£163,476	£132,037
Western HSC Trust	£189,859	£185,805	£178,612
Total Cost	£984,646	£955,308	£991,952

2 A breakdown of the costs for individual cases

To provide a cost breakdown for all individual cases would require each case to be manually calculated. The Directorate of Legal Services estimates that this would take in the region of 1500 hours, therefore this information would be deemed exempt from disclosure under Section 12 of the Freedom of Information Act. This exemption allows public authorities to refuse to answer requests for information if the cost of complying would exceed the 'appropriate limit' prescribed in the Fees Regulations (SI 2004/3244). This limit is 18 hours for a non-central public authority.



3 The amount each Trust paid to the Department of Health/BSO for the overall provision of legal services over the past three accounting years, with any available breakdown

The table below shows the cost to each Trust of providing the services in all areas of law.

Total SLA COST	2011/12	2012/13	2013/14
Belfast HSC Trust	£915,634	£936,327	£1,229,406
Northern HSC Trust	£645,106	£659,685	£632,997
SE HSC Trust	£634,701	£649,045	£578,114
Southern HSC Trust	£613,891	£627,765	£559,819
Western HSC Trust	£645,106	£659,685	£632,997
Total	£3,454,438	£3,532,507	£3,633,333

I hope that the information provided assists you. If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter.

In the event that you require a review to be undertaken, you can do so by writing to

Administrative Services Manager,
2 Franklin Street,
Belfast,
BT2 8DQ

If, following an internal review, carried out by an independent decision making panel, you remain dissatisfied in any way with the handling of the request, you may make a complaint under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the BSO has complied with the terms of the Freedom of Information Act.

You can contact Information Commissioner at:

Website: www.ico.org.uk

Phone: 0303 123 1113

Email: casework@ico.org.uk

Post: Information Commissioner's Office, 3rd Floor, 14 Cromac Place, Belfast, BT7 2JB

In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out. However the Commissioner has the option to investigate the matter at his discretion.

Yours Sincerely,

David Bingham
Chief Executive