# NHS medical negligence liabilities soar to £60 billion amid rising childbirth injury claims



The National Health Service’s (NHS) liabilities for medical negligence claims in England have surged to an unprecedented £60 billion, driven primarily by a steep increase in costly childbirth injury cases. According to a report by the National Audit Office (NAO), this figure has more than quadrupled since 2006-07 when liabilities stood at £14.4 billion, highlighting an alarming upward trajectory in the financial risks associated with clinical negligence settlements.

The NAO’s analysis reveals that certain high-value claims, particularly those involving maternity cases where babies suffer brain damage such as cerebral palsy, are significantly inflating costs. These childbirth injury claims, while fewer in number—1,016 cases during 2024-25—cost an average of £11.2 million each to settle and accounted for roughly £1.6 billion in payouts that year. This sum dwarfs the next most expensive categories of claims, with paediatrics and “other” injuries each costing under £350 million. The overall cost of clinical negligence settlements has risen from £1.1 billion in 2006-07 to £3.6 billion in 2024-25.

GP services themselves accounted for the highest number of settled cases—2,914 in 2024-25—although these tend to be less expensive individually. The number of settled clinical negligence cases nationally has also more than doubled in less than two decades, increasing from 5,625 in 2006-07 to 13,329 in 2024-25, reflecting a combination of rising claims and legal costs. While some specialties have seen a decline in the number of settlements, others such as maternity and radiology have experienced substantial increases, with the latter’s claims jumping nearly fivefold since 2006-07.

Government figures show that these rising costs are draining billions from NHS resources that could otherwise be spent on frontline services. Gareth Davies, head of the NAO, warns that despite some containment in claim numbers within certain areas, the soaring value of high-cost claims is pushing overall costs sharply higher for taxpayers. Geoffrey Clifton-Brown MP, chair of the Commons public accounts committee (PAC), described the escalating £60 billion liability as “astounding” and second only to public sector pensions in terms of government financial obligations.

The Department of Health and Social Care (DHSC) acknowledges the unacceptable rises in clinical negligence costs. A spokesperson stated the government’s commitment to overhauling patient safety systems and improving maternity care, emphasising that its 10-year health plan positions patient safety as a fundamental NHS priority. However, critics have pointed to long-standing failures in the system to prevent errors and contain costs, with the PAC previously criticising delays in addressing the problem.

Parallel to this, the NHS faces severe challenges maintaining its physical infrastructure. The cost of repairing and maintaining hospitals in England has soared to nearly £16 billion, a 16% increase from the previous year. NHS Providers’ chief executive, Daniel Elkeles, warned that NHS buildings are literally falling to pieces due to years of underinvestment, endangering patient and staff safety. The King’s Fund policy director, Siva Anandaciva, echoed concerns, noting that decrepit facilities contribute to disruptions in care, such as flooded corridors and reduced operating theatre capacity.

Further data from NHS Resolution indicates that in 2024-25 alone, the NHS paid out £3.1 billion in compensation for clinical negligence claims, up from £2.8 billion the previous year. Maternity claims accounted for £1.3 billion of that total, reflecting the disproportionate financial burden posed by obstetric negligence. Despite the growing costs, 83% of clinical claims were resolved without legal proceedings, highlighting efforts towards collaborative resolution and incident prevention.

The rising number of claims has been influenced by various systemic and societal factors, including the increased population of the UK and pressures following the pandemic. Since 2006-07, new claims against the NHS have increased by over 150%, with specialities like radiology and ambulance services showing particularly high growth rates in claim numbers.

These figures underline the critical need for continued reform in clinical safety and maternity care, as well as urgent investment in NHS infrastructure. Without addressing the root causes of medical negligence and the physical state of healthcare facilities, the NHS risks further escalating liabilities and compromised patient outcomes.

### 📌 Reference Map:

* Paragraph 1 – [[1]](https://www.theguardian.com/society/2025/oct/17/nhs-medical-negligence-liabilities-hit-60bn-amid-surge-in-maternity-payouts), [[4]](https://www.williamsons-solicitors.co.uk/advice-and-article/nhs-medical-negligence-liabilities-hits-58-2-billion-with-many-calling-for-improvements-to-patient-safety/)
* Paragraph 2 – [[1]](https://www.theguardian.com/society/2025/oct/17/nhs-medical-negligence-liabilities-hit-60bn-amid-surge-in-maternity-payouts), [[2]](https://www.clinicalservicesjournal.com/story/48926/3-1-billion-paid-out-in-nhs-compensation-claims), [[5]](https://www.independent.co.uk/news/health/nhs-negligence-maternity-care-legal-costs-b2587544.html)
* Paragraph 3 – [[1]](https://www.theguardian.com/society/2025/oct/17/nhs-medical-negligence-liabilities-hit-60bn-amid-surge-in-maternity-payouts), [[6]](https://www.digitaljournal.com/life/total-new-nhs-negligence-claims-rise-by-154-percent-in-9-years/article)
* Paragraph 4 – [[1]](https://www.theguardian.com/society/2025/oct/17/nhs-medical-negligence-liabilities-hit-60bn-amid-surge-in-maternity-payouts), [[4]](https://www.williamsons-solicitors.co.uk/advice-and-article/nhs-medical-negligence-liabilities-hits-58-2-billion-with-many-calling-for-improvements-to-patient-safety/)
* Paragraph 5 – [[1]](https://www.theguardian.com/society/2025/oct/17/nhs-medical-negligence-liabilities-hit-60bn-amid-surge-in-maternity-payouts), [[2]](https://www.clinicalservicesjournal.com/story/48926/3-1-billion-paid-out-in-nhs-compensation-claims), [[3]](https://healthcaretoday.com/article/nhs-negligence-claims-against-the-nhs-rise-almost-11)
* Paragraph 6 – [[1]](https://www.theguardian.com/society/2025/oct/17/nhs-medical-negligence-liabilities-hit-60bn-amid-surge-in-maternity-payouts), [[6]](https://www.digitaljournal.com/life/total-new-nhs-negligence-claims-rise-by-154-percent-in-9-years/article)
* Paragraph 7 – [[1]](https://www.theguardian.com/society/2025/oct/17/nhs-medical-negligence-liabilities-hit-60bn-amid-surge-in-maternity-payouts), [[4]](https://www.williamsons-solicitors.co.uk/advice-and-article/nhs-medical-negligence-liabilities-hits-58-2-billion-with-many-calling-for-improvements-to-patient-safety/)
* Paragraph 8 – [[2]](https://www.clinicalservicesjournal.com/story/48926/3-1-billion-paid-out-in-nhs-compensation-claims), [[5]](https://www.independent.co.uk/news/health/nhs-negligence-maternity-care-legal-costs-b2587544.html)
* Paragraph 9 – [[6]](https://www.digitaljournal.com/life/total-new-nhs-negligence-claims-rise-by-154-percent-in-9-years/article)

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## Bibliography

1. <https://www.theguardian.com/society/2025/oct/17/nhs-medical-negligence-liabilities-hit-60bn-amid-surge-in-maternity-payouts> - Please view link - unable to able to access data
2. <https://www.clinicalservicesjournal.com/story/48926/3-1-billion-paid-out-in-nhs-compensation-claims> - In the 2024/25 financial year, NHS Resolution received 14,428 new clinical negligence claims and reported incidents, resulting in £3.1 billion paid out in compensation and associated costs. This marks an increase from £2.8 billion in 2023/24. Notably, £1.3 billion of the total payments in 2024/25 was related to maternity claims. The estimated annual 'cost of harm' for incidents in 2024/25 for the Clinical Negligence Scheme for Trusts (CNST) was £4.6 billion, reflecting updates to discount rates and improvements in long-term inflation assumptions. Additionally, a record 83% of clinical claims were resolved without the need for legal proceedings, indicating a collaborative approach to resolving claims and preventing future incidents. ([clinicalservicesjournal.com](https://www.clinicalservicesjournal.com/story/48926/3-1-billion-paid-out-in-nhs-compensation-claims?utm_source=openai))
3. <https://healthcaretoday.com/article/nhs-negligence-claims-against-the-nhs-rise-almost-11> - NHS negligence claims have risen almost 11% over the past year to £3.1 billion, according to the latest annual report from NHS Resolution. NHS Resolution received 14,428 new clinical negligence claims and reported incidents in 2024/25, reflecting ongoing broad stability in overall claims volume across recent years. NHS Resolution’s provision for future liabilities at the end of March this year was up from £58.5 billion to £60.3 billion, driven by activity and natural growth. It is notable that those figures were lowered by changes to the Personal Injury Discount Rate from -0.25% to +0.50% and by updates to HM Treasury discount rates. ([healthcaretoday.com](https://healthcaretoday.com/article/nhs-negligence-claims-against-the-nhs-rise-almost-11?utm_source=openai))
4. <https://www.williamsons-solicitors.co.uk/advice-and-article/nhs-medical-negligence-liabilities-hits-58-2-billion-with-many-calling-for-improvements-to-patient-safety/> - As of 1 April 2024, the Department of Health & Social Care (DHSC) recognised a staggering £58.2 billion in provisions to cover future clinical negligence claims—making it the second-largest government liability after nuclear decommissioning. This includes £9.3 billion earmarked for claims arising in the 2023–2024 financial year, with an additional £24.6 billion of currently unrecognised claims still potentially awaiting settlement. The Public Accounts Committee has noted the record sum of medical negligence payouts to be 'jaw-dropping' and has heavily criticised the inaction of both the UK Government and the NHS itself, to reduce errors and to improve patient care and safety. ([williamsons-solicitors.co.uk](https://www.williamsons-solicitors.co.uk/advice-and-article/nhs-medical-negligence-liabilities-hits-58-2-billion-with-many-calling-for-improvements-to-patient-safety/?utm_source=openai))
5. <https://www.independent.co.uk/news/health/nhs-negligence-maternity-care-legal-costs-b2587544.html> - The NHS paid out record sums in damages and legal costs for alleged mistakes and negligence by medical professionals last year. In 2023/24, the cost of settling clinical negligence claims increased to £2.8bn from £2.7bn the previous year. Half the costs were associated with poor maternity care, an annual report from the health service’s legal authority revealed. While allegations of negligence in obstetrics accounted for 13 per cent of clinical claims not involving general practice, they resulted in 57 per cent of the overall value of NHS payouts. The NHS Resolution found the number of new clinical negligence claims and reported incidents totalled 13,784. The value associated with reported claims and an estimate of expected future claims in the past financial year for clinical negligence was £4.7 billion. Some eight out of ten clinical claims were resolved without litigation, although the overall value of damages and legal costs continued to rise. ([independent.co.uk](https://www.independent.co.uk/news/health/nhs-negligence-maternity-care-legal-costs-b2587544.html?utm_source=openai))
6. <https://www.digitaljournal.com/life/total-new-nhs-negligence-claims-rise-by-154-percent-in-9-years/article> - In the year 2006/07, there was a total of 5,426 new claims against the NHS for clinical negligence, relating to instances arising from a range of services, including paediatrics, neurosurgery, ambulance-related injury and more. Moving on to the year 2023/24, there was a total of 13,784 claims, an overall change of 154.04% or 2.02% year-on-year. Regarding claims relating to individual services, the greatest overall increase in new claims comes from Radiology services, with a rise from 86 claims in 2006-2007 to 498 claims in 2023/24 – a rise of 479.07% in 14 years. For year-on-year increases, the largest increase in new claims relates to ambulances. Rising from 68 claims per year in 2006/07 to 214 claims per year in 2023/24 – an increase of 12.04% every year. The rise in new medical negligence claims against the NHS can be seen and felt across the board. We see it first-hand with more clients walking through the door. In a way, it is natural to expect some rise over this gap, considering the UK’s population has also seen a considerable rise within this time frame – a rise of roughly seven million. However, this rise in overall new claims has risen significantly since the pandemic, a time many consider to be a breaking point in pressure on the NHS. ([digitaljournal.com](https://www.digitaljournal.com/life/total-new-nhs-negligence-claims-rise-by-154-percent-in-9-years/article?utm_source=openai))