

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY P.V.F LE CLAIRE OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 17th NOVEMBER 2009**

Question

“What was the total amount of money paid out in relation to lawsuits against the States in each of the last 5 years, both as a result of court findings and settlements out of court; how many of the cases settled out of court included non-disclosure agreements and what is the total amount of those monies over that 5 year period?”

Answer

The Chief Minister is not in a position to provide an answer to this question, since any response would be based on limited or partially complete information.

The following points are noted:

- The vast majority of claims against the States are dealt with either under the States insurance policy or, where claims relate to alleged medical negligence, by the insurer of the individual medical practitioner involved. Where a claim is dealt with by the States insurer, the insurer appoints a private sector advocate to deal with the claim on its behalf and the outcome of the action is communicated to the States Treasury on a regular basis once the claim is settled. The outcome of most medical claims are communicated to the Health and Social Services Department but as there is more than one insurer dealing with claims, the outcomes are sometimes only communicated to the practitioner, not the Department;
- The terms of settlement may not be confined to the compromise of an individual claim;
- Many disputes/claims are settled before an Order of Justice is issued by the claimant;
- In light of the points set out above, there is no central source of information in respect of all claims arising.