

S.P. 13/17



ST. HELENA

ST HELENA GOVERNMENT  
SCHEDULE OF SPECIAL WARRANTS

*Laid upon the Table, 30<sup>th</sup> March 2017*



**SPECIAL WARRANT**To: The Financial Secretary

Whereas it has become necessary in the interests of the Public Service to incur certain Expenditure not provided for on the Estimates, as set forth in the subjoined Schedule.

You are hereby, authorised and required to pay from the Consolidated Fund the sum of **Six Hundred and Seventy Three Thousand Pounds** and to charge it to the Heads and Sub-heads of Expenditure specified in the Schedule.

And for so doing this together with the proper Accounts, Certificates and Acquittances shall be your sufficient warrant and discharge.

*Wsa Phillips*  
Governor

Date *8 March* 2017

**SCHEDULE**

Particulars	To be charged to		£
	Head	Sub-head	
Compensation Payments for Clinical Negligence Claims	17	1706-027-07104	£673,000
	Total		£673,000

*(Special Warrants are to be prepared in triplicate and copies to be filed in the Offices of the Chief Secretary, Financial Secretary and Chief Auditor)*

## Application for a Special Warrant under Head and Sub-heads

### Shown overleaf

This request for an urgent withdrawal from the Consolidated Fund has resulted from the judgements made recently by the Supreme Court in two civil cases where the judgements were found against the Government of St Helena.

The judgement given by the Supreme Court has been anonymised to protect the plaintiffs and therefore only limited information can be given. Both cases relate to clinical negligence and in both cases general damages were awarded. In case 1, in addition to the award for general damages, a further award was given for further medical procedures in the UK and in case 2, a further award was given for the fees of a Professional Deputy in the UK under the jurisdiction of the Court of Protection.

The Plaintiff in a third ongoing case was awarded by the Supreme Court an interim payment for general damages.

In addition to these payments the Government of St Helena was also ordered to pay a third of all of the plaintiffs' legal costs.

There is also a request for additional funding to be approved to cover the cost of legal fees of the current Supreme Court sitting which has not been budgeted for. These relate to the criminal cases that are currently being heard amounting to £14,000 which is made up of travel, accommodation and subsistence for counsel.

This Special Warrant authorises £673,000 to be withdrawn from the Consolidated Fund.

This expenditure constitutes "urgent and unforeseen need for expenditure" as defined in Part 8, Section 103 of the Constitution of St Helena, as the judgement was given on 21 February 2017 and the Government has 21 days in which to make payment. There is no budget allocation or provision made for this expenditure anywhere else and therefore a direct withdrawal from the Consolidated Fund is necessary in this instance.

### Summary of Application

Head	Sub-head	Approved Estimate £	This Application £	Revised Total £	Expected Savings		
					Head	Sub-head	£
17	1706-027-07104	89,000	673,000	762,000		Withdrawal from the Consolidated Fund	762,000
Total		89,000	673,000	762,000			762,000

Financial Secretary 

Date: 8 March 2017