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| **Civil Claims Statistics** |

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| **1. Report Purpose** |

1.1 To provide statistics relating to civil claims and other legal proceedings against North Yorkshire Police (NYP) for the period 1 April 2018 to 30 June 2018.

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| **2. Key Information including Implications** |

2.1 Public liability claims arise out of allegations of wrongful arrest/false imprisonment, negligence, assault, malicious prosecution, personal injury and damage to property. Joint Corporate Legal Services (JCLS) currently act for the Chief Constable (CC) and the Police and Crime Commissioner (PCC) in respect of such claims.

2.2 Employers liability and third party motor claims are handled by NYP’s insurers who in turn instruct external solicitors if and as required. JCLS investigate and co-ordinate the response to such claims.

2.3 JCLS also act for CC and PCC in relation to other legal matters including, but not limited to:

* Judicial Review
* Employment Law
* Inquests
* Civil Orders, for example sexual risk, domestic violence, proceeds of crime and dangerous dogs
* Licensing, for example firearms, gambling, liquor and sex establishments
* Property/Commercial
* Public Inquiries
* Operations
* Disclosure and information sharing

2.4 **Public Liability Claims**

Numbers of public liability claims for both the Chief Constable and Police and Crime Commissioner are set out below. These figures are for claims opened under the one main head of claim, however please note that one claim may be brought under several heads of claim.

**Chief Constable**

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| --- | --- | --- | --- | --- | --- |
|  | **01/04/17 – 30/06/17** | **01/07/17 – 30/09/17** | **01/10/17 – 31/12/17** | **01/01/18 – 31/03/18** | **01/04/18 – 30/06/18** |
| **Assault** | 0 | 0 | 0 | 2 | 1 |
| **False Imprisonment** | 3 | 5 | 2 | 2 | 3 |
| **Human Rights** | 0 | 0 | 0 | 6 | 1 |
| **Malicious Prosecution** | 0 | 0 | 0 | 1 | 0 |
| **Misfeasance in Public Office** | 0 | 0 | 2 | 0 | 0 |
| **Negligence causing Personal Injury** | 2 | 0 | 0 | 0 | 0 |
| **Property (Buildings)** | 4 | 5 | 2 | 4 | 7 |
| **Property (Personal)** | 4 | 8 | 2 | 5 | 7 |
| **Defamation** | 1 | 0 | 0 | 0 | 0 |
| **Other** | 2 | 3 | 5 | 2 | 11 |
| **Total** | **16** | **21** | **13** | **22** | **30** |

2.5 The files opened in the period 1 April 2018 to 30 June 2018 are currently estimated to represent a potential liability in damages of £310,920. The potential liability in respect of claimant solicitor’s costs is £107,500 and for NYP defence costs (Counsel, external solicitors and disbursements) are £57,500. These figures consist of payments made and professional estimates based on the information received to date from the claimant.

2.6 A claim form is the document used to commence proceedings in the Civil Courts. In the period 1 April 2018 to 30 June 2018 one claim form was received in relation to this category.

2.7 A claim is closed where either:

* The matter is settled without proceedings being issued, or
* The matter concludes following trial or other disposal hearing at court, or
* Liability has been denied and no further correspondence has been received from the claimant for a period of at least six months.

2.8 In the period 1 April 2018 to 30 June 2018, 20 claims were closed. Payments made for these claims in respect of claimant damages amounted to £24,085.82. Payments made for these claims in respect of claimant solicitors costs amounted to £7,300.00. £3,747.50 was paid in respect of NYP defence costs.

**Police and Crime Commissioner**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **01/04/17 – 30/06/17** | **01/07/17 – 30/09/17** | **01/10/17 – 31/12/17** | **01/01/18 – 31/03/18** | **01/04/18 – 30/06/18** |
| **Property (Personal)** | 0 | 0 | 0 | 0 | 2 |
| **Other** | 0 | 0 | 1 | 0 | 0 |
| **Total** | **0** | **0** | **1** | **0** | **2** |

2.9 The files opened in the period 1 April 2018 to 30 June 2018 are currently estimated to represent a potential liability in damages of £102.50. The potential liability in respect of claimant solicitors costs and for NYP defence costs (Counsel, external solicitors and disbursements) are nil. These figures consist of payments made and professional estimates based on the information received to date from the claimant.

3.0 A claim form is the document used to commence proceedings in the Civil Courts. In the period 1 April 2018 to 30 June 2018 no claim forms were received in relation to this category.

3.1 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 April 2018 to 30 June 2018, one claim was closed.

2.9 **Employers Liability Claims**

The number of employer’s liability claims opened for both the Chief Constable and Police and Crime Commissioner are set out below.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **01/04/17 – 30/06/17** | **01/07/17 – 30/09/17** | **01/10/17 – 31/12/17** | **01/01/18 – 31/03/18** | **01/04/18 – 30/06/18** |
| **Exposed to Fire** | 0 | 0 | 0 | 0 | 1 |
| **Handling, Lifting or Carrying** | 0 | 1 | 0 | 0 | 1 |
| **Fall from Height** | 0 | 0 | 1 | 0 | 0 |
| **Hit by Moving Object** | 0 | 0 | 1 | 0 | 0 |
| **Negligence causing Personal Injury** | 0 | 0 | 1 | 0 | 0 |
| **Other** | 1 | 1 | 0 | 0 | 1 |
| **Total** | **1** | **2** | **3** | **0** | **3** |

2.10 The files opened in the period 1 April 2018 to 30 June 2018 are currently estimated to represent a potential liability in damages of £13,480. The potential liability in respect of claimant solicitor’s costs is £5,448. These figures consist of payments made and professional estimates based on the information received to date from the claimant.

2.11 No claim forms were received for cases in this category during the period 1 April 2018 to 30 June 2018.

2.12 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 April 2018 to 30 June 2018, no claims were closed.

2.13 **Third Party Motor Claims**

The number of third party motor claims opened are set out below.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **01/04/17 – 30/06/17** | **01/07/17 – 30/09/17** | **01/10/17 – 31/12/17** | **01/01/18 – 31/03/18** | **01/04/18 – 30/06/18** |
| **Damage** | 15 | 12 | 13 | 10 | 19 |
| **Injury** | 1 | 2 | 0 | 0 | 2 |
| **Total** | **16** | **14** | **13** | **10** | **21** |

2.14 The files opened in the period 1 April 2018 to 30 June 2018 are currently estimated to represent a potential liability in damages of £22,858. The potential liability in respect of claimant solicitor’s costs is £2,750 and for NYP defence costs (Counsel, external solicitors and disbursements) are nil. These figures consist of payments made and professional estimates based on the information received to date from the claimant.

2.15 Two claim forms were received for cases in this category during the period 1 April 2018 to 30 June 2018.

2.16 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 April 2018 to 30 June 2018, 18 claims were closed. Payments made for these claims in respect of claimant damages amounted to £8,949.15. No payments were made in respect of claimant solicitor’s costs and NYP defence costs.

2.17 **Other Claims**

The number of other claims opened are set out below.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **01/04/17 – 30/06/17** | **01/07/17 – 30/09/17** | **01/10/17 – 31/12/17** | **01/01/18 – 31/03/18** | **01/04/18 – 30/06/18** |
| **Employment Tribunal** | 0 | 1 | 0 | 1 | 0 |
| **Judicial Review** | 1 | 2 | 2 | 2 | 2 |

2.18 During the period 1 April 2018 to 30 June 2018, one claim was closed.

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| **3. Proposals / Recommendations Requiring a Decision** |

3.1 There are no proposals/recommendations requiring a decision.

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| **4. Consultations Carried Out** |

4.1

*The below table should include who has been consulted and their feedback. Not all departments will need to be consulted with on every proposal, however, they should all be considered if you are seeking a decision:*

|  |  |  |
| --- | --- | --- |
| **Name (Collar Number)** | **Department** | **Comments** |
|  |  |  |

**Report Information**

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Executive Group Sponsor: Michael Porter, Police and Crime Commissioner Chief Finance Officer

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