



## Civil Claims Statistics

### 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 October 2018 to 31 December 2018.

### 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, Fire and Crime Commissioner (PFCC) as part of Evolve Legal Services 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 PFCC 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.

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Chief Constable

	01/10/17 – 31/12/17	01/01/18 – 31/03/18	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18
<b>Assault</b>	0	2	1	0	2
<b>False Imprisonment</b>	2	2	3	2	2
<b>Human Rights</b>	0	6	1	0	0
<b>Malicious Prosecution</b>	0	1	0	0	0
<b>Misfeasance in Public Office</b>	2	0	0	1	0
<b>Negligence causing Personal Injury</b>	0	0	0	0	0
<b>Property (Buildings)</b>	2	4	7	3	1
<b>Property (Personal)</b>	2	5	7	9	12
<b>Defamation</b>	0	0	0	0	0
<b>Other</b>	5	2	11	4	3
<b>Total</b>	<b>13</b>	<b>22</b>	<b>30</b>	<b>19</b>	<b>20</b>

- 2.5 The files opened in the period 1 October 2018 to 31 December 2018 are currently estimated to represent a potential liability in damages of £97,823. The potential liability in respect of claimant solicitor's costs is £60,000 and for NYP defence costs (Counsel, external solicitors and disbursements) is £25,000. 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 October 2018 to 31 December 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 October 2018 to 31 December 2018, 26 claims were closed. Payments made for these claims in respect of claimant damages amounted to £18,090. Payments made for these claims in respect of claimant solicitors costs amounted to £45,250. £1,488 was paid in respect of NYP defence costs.

## Police and Crime Commissioner

	01/10/17 – 31/12/17	01/01/18 – 31/03/18	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18
<b>Property (Personal)</b>	0	0	2	0	0
<b>Other</b>	1	0	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>

- 2.9 There were no new files opened during the period 1 October 2018 to 31 December 2018.
- 2.10 A claim form is the document used to commence proceedings in the Civil Courts. In the period 1 October 2018 to 31 December 2018 no claim forms were received in relation to this category.
- 2.11 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 July 2018 to 30 September 2018, one claim was closed.
- 2.12 **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.

	01/10/17 – 31/12/17	01/01/18 – 31/03/18	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18
<b>Exposed to Fire</b>	0	0	1	0	0
<b>Handling, Lifting or Carrying</b>	0	0	1	0	0
<b>Fall from Height</b>	1	0	0	0	0
<b>Hit by Moving Object</b>	1	0	0	0	1
<b>Negligence causing Personal Injury</b>	1	0	0	0	0
<b>Injured whilst Restraining a Person</b>	0	0	0	2	0
<b>Other</b>	0	0	1	0	0
<b>Total</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>1</b>

- 2.13 The file opened in the period 1 October 2018 to 31 December 2018 is currently estimated to represent a potential liability of £5,080 including costs. This figure consists of payments made and professional estimates based on the information received to date from the claimant.

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2.14 One claim form was received for cases in this category during the period 1 October 2018 to 31 December 2018.

2.15 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 October 2018 to 31 December 2018, two claims were closed. Payments made for these claims in respect of claimant damages amounted to £1,050. Payments made in respect of claimant solicitor's costs amounted to £3,979 and £1,454 was paid for NYP defence costs.

**2.16 Third Party Motor Claims**

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

	01/10/17 – 31/12/17	01/01/18 – 31/03/18	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18
<b>Damage</b>	13	10	19	14	13
<b>Injury</b>	0	0	2	8	3
<b>Total</b>	<b>13</b>	<b>10</b>	<b>21</b>	<b>22</b>	<b>16</b>

2.17 The files opened in the period 1 October 2018 to 31 December 2018 are currently estimated to represent a potential liability in damages of £28,337. The potential liability in respect of claimant solicitor's costs is £2,625 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.

2.18 Three claim forms were received for cases in this category during the period 1 October 2018 to 31 December 2018.

2.19 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 October 2018 to 31 December 2018, 19 claims were closed. Payments made for these claims in respect of claimant damages amounted to £22,848. Payments made in respect of claimant solicitor's costs amounted to £5,913. £1,620 was paid in respect of NYP defence costs.

**2.20 Other Claims**

The number of other claims opened are set out below.

	01/10/17 – 31/12/17	01/01/18 – 31/03/18	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18
<b>Employment Tribunal</b>	0	1	0	1	2
<b>Judicial Review</b>	2	2	2	0	0

2.21 During the period 1 October 2018 to 31 December 2018, three claims were closed.

### 3. Proposals / Recommendations Requiring a Decision

3.1 There are no proposals/recommendations requiring a decision.

### 4. Consultations Carried Out

4.1 No consultation has been carried out, as the paper is for information only.

#### **Report Information**

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Date created: 13 February 2019