



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 April 2019 to 30 June 2019.
- 1.2 To provide annual statistics relating to public liability, employer's liability and third party motor claims.

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 Fire 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.

OFFICIAL

Chief Constable

	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18	01/01/19 – 31/03/19	01/04/19 – 30/06/19
Assault	1	0	2	2	1
False Imprisonment	3	2	2	3	3
Human Rights	1	0	0	0	1
Malicious Prosecution	0	0	0	0	0
Misfeasance in Public Office	0	1	0	0	0
Property (Buildings)	7	3	1	4	4
Property (Personal)	7	9	12	6	9
Other	11	4	3	5	3
Total	30	19	20	20	21

- 2.5 The files opened in the period 1 April 2019 to 30 June 2019 are currently estimated to represent a potential liability in damages of £102,106. The potential liability in respect of claimant solicitor's costs is £58,000 and for NYP defence costs (Counsel, external solicitors and disbursements) is £16,000. 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 April 2019 to 30 June 2019 no claim forms were 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 2019 to 30 June 2019, 29 claims were closed. Payments made for these claims in respect of claimant damages amounted to £42,891. Payments made for these claims in respect of claimant solicitors costs amounted to £47,093. £7,180 was paid in respect of NYP defence costs.

Police Fire and Crime Commissioner

	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18	01/01/19 – 31/03/19	01/04/19 – 30/06/19
Property (Personal)	2	0	0	0	0
Total	2	0	0	0	0

OFFICIAL

- 2.9 There were no new files opened during the period 1 April 2019 to 30 June 2019.
- 2.10 A claim form is the document used to commence proceedings in the Civil Courts. In the period 1 April 2019 to 30 June 2019 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 April 2019 to 30 June 2019, no claims were closed.
- 2.12 **Employers Liability Claims**

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

	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18	01/01/19 – 31/03/19	01/04/19 – 30/06/19
Exposed to Fire	1	0	0	0	0
Handling, Lifting or Carrying	1	0	0	0	0
Fall from Height	0	0	0	0	0
Hit by Moving Object	0	0	1	1	0
Negligence causing Personal Injury	0	0	0	0	0
Injured whilst Restraining a Person	0	2	0	0	0
Slipped, Tripped or Fell on Same Level	0	0	0	2	0
Other	1	0	0	0	0
Total	3	2	1	3	0

- 2.13 There were no new files opened during the period 1 April 2019 to 30 June 2019.
- 2.14 No claim forms were received for cases in this category during the period 1 April 2019 to 30 June 2019.
- 2.15 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 April 2019 to 30 June 2019, one claim was closed with no payments made.

2.16 Third Party Motor Claims

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

	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18	01/01/19 – 31/03/19	01/04/19 – 30/06/19
Damage	19	14	13	10	10
Injury	2	8	3	1	1
Total	21	22	16	11	11

2.17 The files opened in the period 1 April 2019 to 30 June 2019 are currently estimated to represent a potential liability in damages of £60,368. The potential liability in respect of claimant solicitor's costs is £1,600 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 One claim form was received for cases in this category during the period 1 April 2019 to 30 June 2019.

2.19 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 April 2019 to 30 June 2019, 11 claims were closed. Payments made for these claims in respect of claimant damages amounted to £75,694. No payments made in respect of claimant solicitor's costs. £1,756 was paid in respect of NYP defence costs.

2.20 Other Claims

The number of other claims opened are set out below.

	01/04/18 – 30/06/18	01/07/18 – 30/09/18	01/10/18 – 31/12/18	01/01/19 – 31/03/19	01/04/19 – 30/06/19
Employment Tribunal	0	1	2	1	0
Judicial Review	2	0	0	0	0

2.21 During the period 1 April 2019 to 30 June 2019, three claims were closed.

2.22 Annual Summary

The number of claims per insurance year (1 April to 31 March) are set out below for public liability, employers liability and third party motor. This is different to the figures provided above which are the number of claims opened each quarter, regardless of which insurance year they apply to, for example a claim may be opened in April 2019, where the incident date is April 2018 and therefore the insurance year for this claim would be 2018/19.

The total incurred figure is the payments made and professional estimates based on the information received from the claimant as at 31 March 2019. This figure will change, for example

OFFICIAL

where outstanding claims with reserves are settled with no payments made or further information is provided by the claimant which results in the estimate being increased.

Public Liability

Insurance Year	Number of Claims	Total Incurred (Paid and Outstanding)	Number of Claims over Policy Excess £150,000
2016/17	84	£687,775	0
2017/18	57	£426,461	0
2018/19	43	£114,022	0

Employers Liability

Insurance Year	Number of Claims	Total Incurred (Paid and Outstanding)	Number of Claims over Policy Excess £150,000
2016/17	5	£393,744	1
2017/18	7	£40,908	0
2018/19	3	£22,000	0

Third Party Motor

Insurance Year	Number of Claims	Total Incurred (Paid and Outstanding)	Number of Claims over Policy Excess £100,000
2016/17	44	£55,900	0
2017/18	55	£72,951	0
2018/19	60	£444,399	3

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

Author: Julie Shuttleworth, Insurance and Litigation Manager

Head of Department: Jane Wintermeyer, Force Solicitor and Head of Joint Corporate Legal Services

Director: Xanthe Tait, Director of Evolve Collaborative Legal Services

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

Date created: 8 July 2019

OFFICIAL

OFFICIAL

Page 6 of 6