



## Joint Corporate Legal Services Case Statistics Report

### 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 July 2021 to 30 September 2021.
- 1.2 To provide details of the number of open cases with reserves as at 30 September 2021.
- 1.3 To provide annual statistics relating to public liability, employer's liability and third party motor.

### 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.

### Chief Constable

	01/07/20 – 30/09/20	01/10/20 – 31/12/20	01/01/21 – 31/03/21	01/04/21 – 30/06/21	01/07/21 – 30/09/21
<b>Assault</b>	2	0	1	0	1
<b>False Imprisonment</b>	9	2	0	4	2
<b>Misfeasance in Public Office</b>	0	0	1	0	0
<b>Property (Buildings)</b>	8	5	4	3	4
<b>Property (Personal)</b>	9	4	5	4	7
<b>Other</b>	2	1	7	2	2
<b>Total</b>	<b>30</b>	<b>12</b>	<b>18</b>	<b>13</b>	<b>16</b>

- 2.5 The files opened in the period 1 July 2021 to 30 September 2021 are currently estimated to represent a potential liability in damages of £37,110. The potential liability in respect of claimant solicitor's costs is £5,000 and for NYP defence costs (Counsel, external solicitors and disbursements) is £10,000. 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 July 2021 to 30 September 2021 two 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 July 2021 to 30 September 2021, 14 claims were closed. Payments made for these claims in respect of claimant damages amounted to £21,000. £18,300 was paid for these claims in respect of claimant solicitor's costs and £4,167 was paid in respect of NYP defence costs.

**Police Fire and Crime Commissioner**

	01/07/20 – 30/09/20	01/10/20 – 31/12/20	01/01/21 – 31/03/21	01/04/21 – 30/06/21	01/07/21 – 30/09/21
<b>Property (Personal)</b>	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 2.9 No files were opened during the period 1 July 2021 to 30 September 2021.
- 2.10 A claim form is the document used to commence proceedings in the Civil Courts. In the period 1 July 2021 to 30 September 2021 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 2021 to 30 September 2021, 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.

	01/07/20 – 30/09/20	01/10/20 – 31/12/20	01/01/21 – 31/03/21	01/04/21 – 30/06/21	01/07/21 – 30/09/21
<b>Other</b>	0	0	0	2	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>

- 2.13 No files were opened during the period 1 July 2021 to 30 September 2021.
- 2.14 One claim form was received in relation to this category during the period 1 July 2021 to 30 September 2021.
- 2.15 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 July 2021 to 30 September 2021, no claims were closed.
- 2.16 **Third Party Motor Claims**

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

	01/07/20 - 30/09/20	01/10/20 - 31/12/20	01/01/21 - 31/03/21	01/04/21 - 30/06/21	01/07/21 – 30/09/21
<b>Damage</b>	14	5	23	10	14
<b>Injury</b>	2	0	4	1	1
<b>Total</b>	<b>16</b>	<b>5</b>	<b>27</b>	<b>11</b>	<b>15</b>

- 2.17 The files opened in the period 1 July 2021 to 30 September 2021 are currently estimated to represent a potential liability in damages of £18,782. The potential liability in respect of claimant solicitor's costs is £2,000 and for NYP defence costs (Counsel, external solicitors and

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disbursements) is 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 July 2021 to 30 September 2021.

2.19 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 July 2021 to 30 September 2021, 11 claims were closed. Payments made for these claims in respect of claimant damages amounted to £19,695. £4,639 was paid for these claims in respect of claimant solicitor's costs and £2,031 was paid in respect of NYP defence costs.

## 2.20 Other Claims

The number of other claims opened are set out below.

	01/07/20 - 30/09/20	01/10/20 - 31/12/20	01/01/21 - 31/03/21	01/04/21 - 30/06/21	01/07/21 - 30/09/21
<b>Employment Tribunal</b>	1	3	0	0	0
<b>Judicial Review</b>	1	3	0	1	1

2.21 During the period 1 July 2021 to 30 September 2021 no claims were closed.

## 2.22 Open Cases

I detail below all open cases as at 30 September 2021 (so, not just those opened in the previous quarter) which are being handled by Joint Corporate Legal Services, where a financial estimate has been allocated by the handler based on the information received to date. I have also specified whether the estimate would be met from the provision or revenue budget.

<b>File Type</b>	<b>Number of Open Cases with Reserves</b>	<b>Estimate to be Paid from Provision £</b>	<b>Estimate to be Paid from Revenue £</b>
Public Liability and Ex Gratia	64	536,858	57,235
Employers Liability	5	72,641	0
Third Party Motor	54	178,466	26,236
Motor Own Damage	30	65,961	61,406
Employment	14	367,573	3,000
Other	64	51,750	45,629
<b>Total</b>	<b>231</b>	<b>1,273,249</b>	<b>193,506</b>

2.23 The other file type category includes Civil Orders, for example Dangerous Dogs, Domestic Violence Protection, Cash Seizure, Sexual Harm Prevention and Sexual Risk, Estates, Disclosure, Firearms Licensing, Inquests, Judicial Review, Operational Advice and Enquiries.

- 2.24 Not all of these files will be settled in the current financial year and some claims may be successfully defended with no payments made.

### 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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