



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 January 2021 to 31 March 2021.
- 1.2 To provide details of the number of open cases with reserves as at 31 March 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

	01/01/20 – 31/03/20	01/04/20 – 30/06/20	01/07/20 – 30/09/20	01/10/20 – 31/12/20	01/01/21 – 31/03/21
Assault	1	1	2	0	1
False Imprisonment	4	2	9	2	0
Misfeasance in Public Office	0	0	0	0	1
Property (Buildings)	5	6	8	5	4
Property (Personal)	3	8	9	4	5
Other	1	0	2	1	7
Total	14	17	30	12	18

2.5 The files opened in the period 1 January 2021 to 31 March 2021 are currently estimated to represent a potential liability in damages of £38,380. The potential liability in respect of claimant solicitor's costs is £25,000 and for NYP defence costs (Counsel, external solicitors and disbursements) is £5,000. 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 January 2021 to 31 March 2021 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 January 2021 to 31 March 2021, 9 claims were closed. Payments made for these claims in respect of claimant damages amounted to £4,072. £12,500 was paid for these claims in respect of claimant solicitor's costs and £480 was paid in respect of NYP defence costs.

Police Fire and Crime Commissioner

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

- 2.9 No files were opened during the period 1 January 2021 to 31 March 2021.
- 2.10 A claim form is the document used to commence proceedings in the Civil Courts. In the period 1 January 2021 to 31 March 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 January 2021 to 31 March 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.

	01/01/20 – 31/03/20	01/04/20 – 30/06/20	01/07/20 – 30/09/20	01/10/20 – 31/12/20	01/01/21 – 31/03/21
Fall from Height	1	0	0	0	0
Other	1	1	0	0	0
Total	2	1	0	0	0

- 2.13 No files were opened during the period 1 January 2021 to 31 March 2021.
- 2.14 One claim form was received for cases in this category during the period 1 January 2021 to 31 March 2021.
- 2.15 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 January 2021 to 31 March 2021, four claims were closed. Payments made for these claims in respect of claimant damages amounted to £1,400. £1,872 was paid for these claims in respect of claimant solicitor's costs and £11,588 was paid in respect of NYP defence costs.

2.16 **Third Party Motor Claims**

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

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

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2.17 The files opened in the period 1 January 2021 to 31 March 2021 are currently estimated to represent a potential liability in damages of £55,964. The potential liability in respect of claimant solicitor's costs is £3,048 and for NYP defence costs (Counsel, external solicitors and disbursements) is nil. These figures consist of payments made and professional estimates based on the information received to date from the claimant.

2.18 Two claim forms were received for cases in this category during the period 1 January 2021 to 31 March 2021.

2.19 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 January 2021 to 31 March 2021, 16 claims were closed. Payments made for these claims in respect of claimant damages amounted to £20,625. No payments were made for these claims in respect of claimant solicitors costs and NYP defence costs.

2.20 **Other Claims**

The number of other claims opened are set out below.

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

2.21 During the period 1 January 2021 to 31 March 2021, two claims were closed.

2.22 **Open Cases**

I detail below all open cases as at 31 March 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.

File Type	Number of Open Cases with Reserves	Estimate to be Paid from Provision £	Estimate to be Paid from Revenue £
Public Liability and Ex Gratia	61	519,304	25,188
Employers Liability	3	36,688	0
Third Party Motor	53	215,337	0
Motor Own Damage	33	79,914	0
Employment	19	463,848	0
Other	49	51,379	11,843
Total	218	1,366,470	37,031

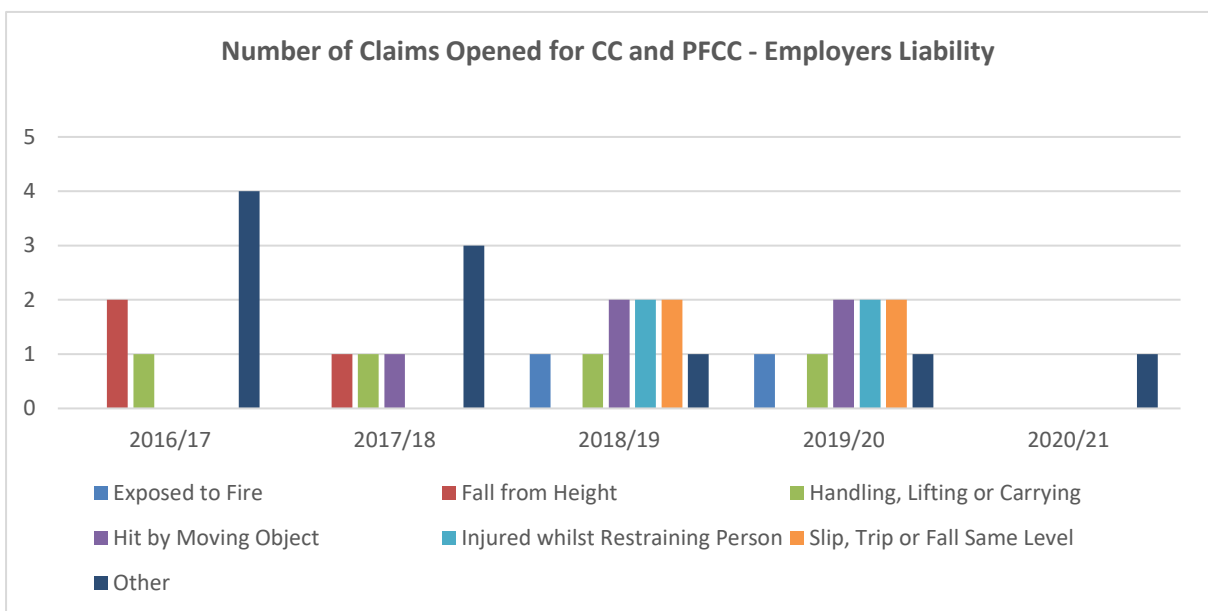
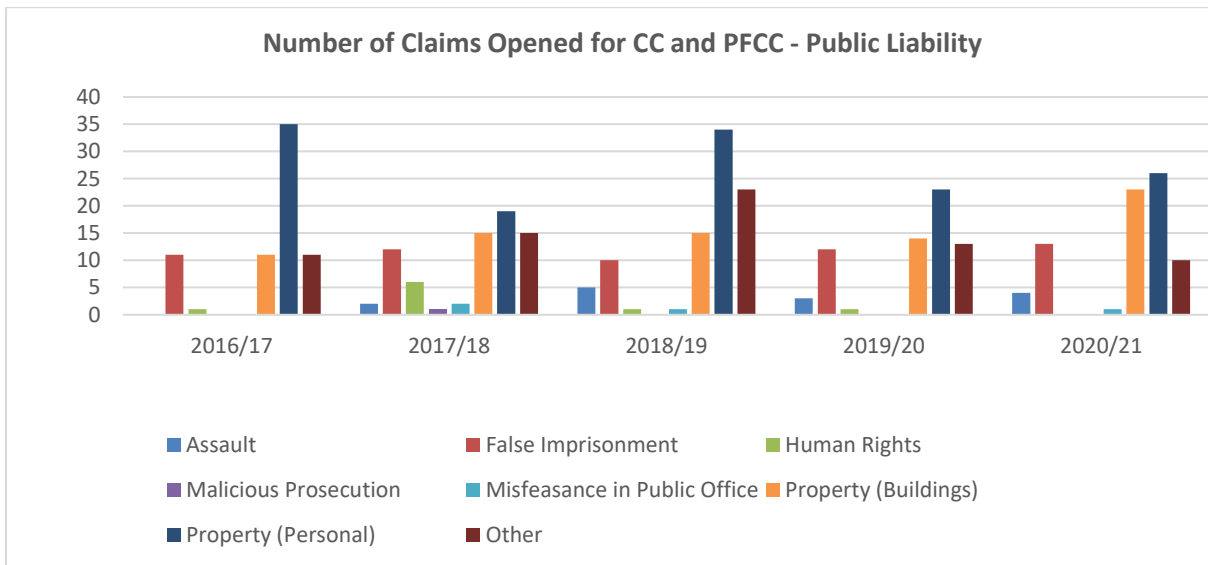
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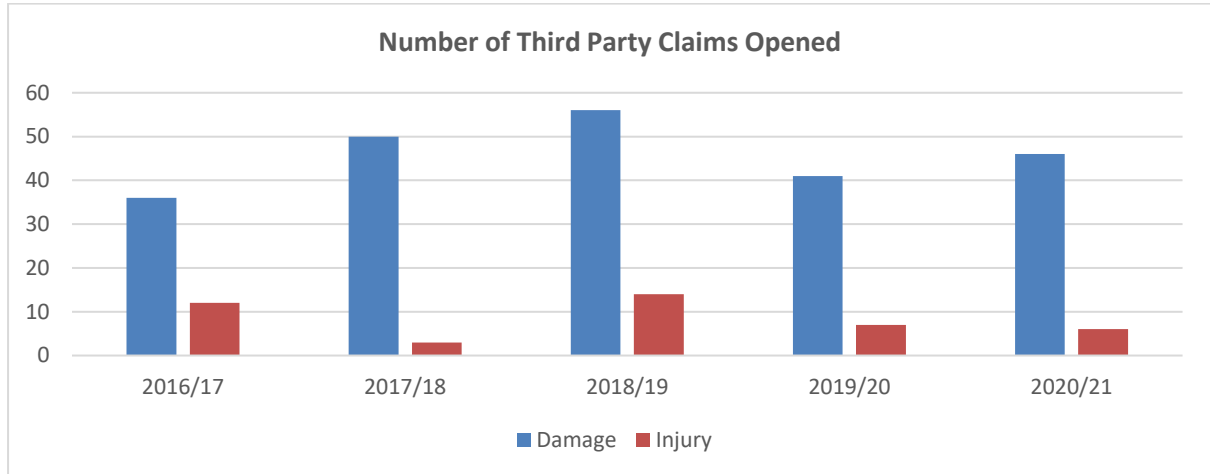
2.23 The other file type category includes Civil Orders, for example Dangerous Dogs, Domestic Violence Protection, Cash Seizure, Sexual Harm Prevention and Sexual Risk, Estates, Disclosure, Firearms Licensing, Inquests, Judicial Review, Operational Advice and Enquiries.

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.

2.25 **Number of Claims Opened Per Year**

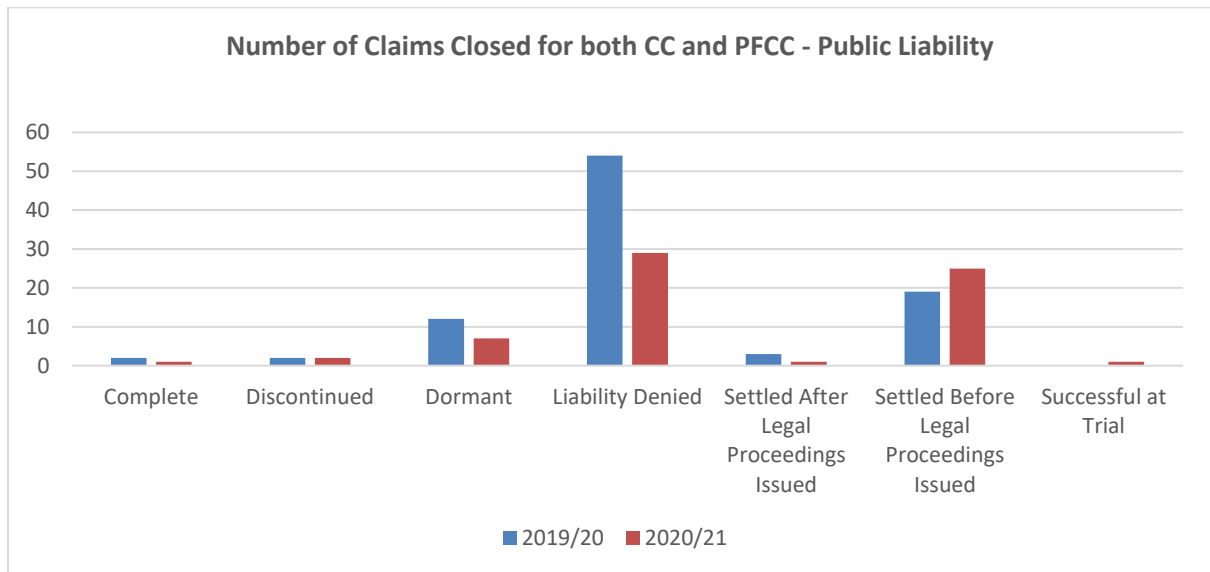
The graphs below show the number of cases opened for public liability, employers liability and third party motor during each year. The public liability and employers liability are for claims opened under the one main head of claim, however please note that one claim may be brought under several heads of claim.

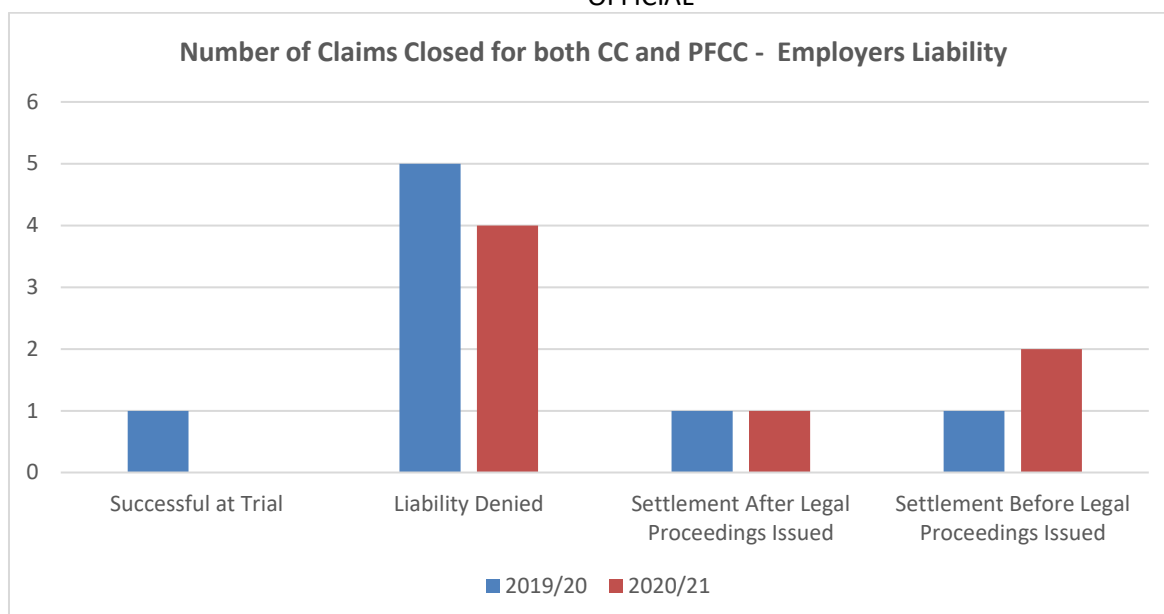




2.26 Number of Claims Closed During 2020/21

The graphs below show the number of cases closed for public liability and employers liability during 2019/20 and 2020/21 together with the outcome. Please note that claims which have been repudiated may be reopened should the claimant challenge the denial or issue proceedings.





2.27 Annual Summary by Insurance Year

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 or year, 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 2021. This figure will change, for example 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
2017/18	73	£230,530	0
2018/19	59	£85,490	0
2019/20	47	£181,726	0
2020/21	41	£88,613	0

Employers Liability

Insurance Year	Number of Claims	Total Incurred (Paid and Outstanding)	Number of Claims over Policy Excess £150,000
2017/18	8	£26,588	0
2018/19	4	£18,861	0
2019/20	2	£0	0
2020/21	1	£12,500	0

Third Party Motor

Insurance Year	Number of Claims	Total Incurred (Paid and Outstanding)	Number of Claims over Policy Excess £100,000
2017/18	57	£101,028	0
2018/19	62	£399,331	3
2019/20	47	£89,178	0
2020/21	48	£93,162	0

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

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

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