



Evolve 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 2023 to 31 March 2023.
- 1.2 To provide details of the number of open cases with reserves as at 31 March 2023.
- 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. Evolve Legal Services (ELS) act for the Chief Constable (CC) and the Police, Fire and Crime Commissioner (PFCC) 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 ELS 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**

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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

	01/01/22 – 31/03/22	01/04/22 - 30/06/22	01/07/22 – 30/09/22	01/10/22 – 31/12/22	01/01/23 – 31/03/23
Assault	0	5	2	2	3
Defamation	0	2	0	0	0
False Imprisonment	3	6	3	5	4
Human Rights	3	0	1	0	3
Property (Buildings)	4	1	3	11	8
Property (Personal)	5	6	3	13	8
Other	3	3	4	5	6
Total	18	23	16	36	32

2.5 The files opened in the period 1 January 2023 to 31 March 2023 are currently estimated to represent a potential liability in damages of £44,358. The potential liability in respect of claimant solicitor’s costs is £28,000 and for NYP defence costs (Counsel, external solicitors and disbursements) is £1,219. 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 2023 to 31 March 2023 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 January 2023 to 31 March 2023, 36 claims were closed. Payments made for these claims in respect of claimant damages amounted to £29,642. £52,275 was paid in respect of claimant solicitor’s costs and £1,920 was paid in respect of NYP defence costs.

Police Fire and Crime Commissioner

	01/01/22 – 31/03/22	01/04/22 – 30/06/22	01/07/22 – 30/09/22	01/10/22 – 31/12/22	01/01/23 – 31/03/23
Property (Personal)	0	0	0	0	0
Total	0	0	0	0	0

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- 2.9 No files were opened during the period 1 January 2023 to 31 March 2023.
- 2.10 A claim form is the document used to commence proceedings in the Civil Courts. In the period 1 January 2023 to 31 March 2023 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 2023 to 31 March 2023, 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.

	01/01/22 – 31/03/22	01/04/22 – 30/06/22	01/07/22 – 30/09/22	01/10/22 – 31/12/22	01/01/23 – 31/03/23
Slip, Trip, Fall on Same Level	0	1	0	0	0
Other	0	0	1	0	1
Handling, Lifting or Carrying	0	0	0	0	1
Exposed to an explosion	0	0	1	0	0
Physically Assaulted	0	0	0	1	0
Total	0	1	2	1	2

- 2.13 During the period 1 January 2023 to 31 March 2023 two files were opened.
- 2.14 No claim forms were received in relation to this category during the period 1 January 2023 to 31 March 2023.
- 2.15 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 January 2023 to 31 March 2023, two claims were closed with no payments made.
- 2.16 **Third Party Motor Claims**

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

	01/01/22 - 31/03/22	01/04/22 - 30/06/22	01/07/22 - 30/09/22	01/10/22 - 31/12/22	01/01/23 - 31/03/23
Damage	13	13	10	12	17
Injury	3	1	4	6	7
Total	16	14	14	18	24

- 2.17 The files opened in the period 1 January 2023 to 31 March 2023 are currently estimated to represent a potential liability in damages of £84,736. The potential liability in respect of claimant solicitor’s costs is £6,080 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 January 2023 to 31 March 2023.

2.19 The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 January 2023 to 31 March 2023, 23 claims were closed. Payments made for these claims in respect of claimant damages amounted to £258,629. £81,269 was paid for these claims in respect of claimant solicitor's costs and £10,585 in respect of NYP defence costs. One of the claims closed breached the policy excess of £100,000. The figures provided in respect of payments include the full cost of the claim, i.e. including the amount paid by insurers.

2.20 **Other Claims**

The number of other claims opened are set out below.

	01/01/22 - 31/03/22	01/04/22 - 30/06/22	01/07/22 - 30/09/22	01/10/22 - 31/12/22	01/01/23 - 31/03/23
Employment Tribunal	1	1	0	0	0
Judicial Review	1	1	2	0	1

2.21 During the period 1 January 2023 to 31 March 2023 one employment tribunal claim and one judicial review claim were closed.

2.22 **Open Cases**

I detail below all open cases as at 31 March 2023 for NYP (so, not just those opened in the previous quarter) which are being handled by Evolve 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.

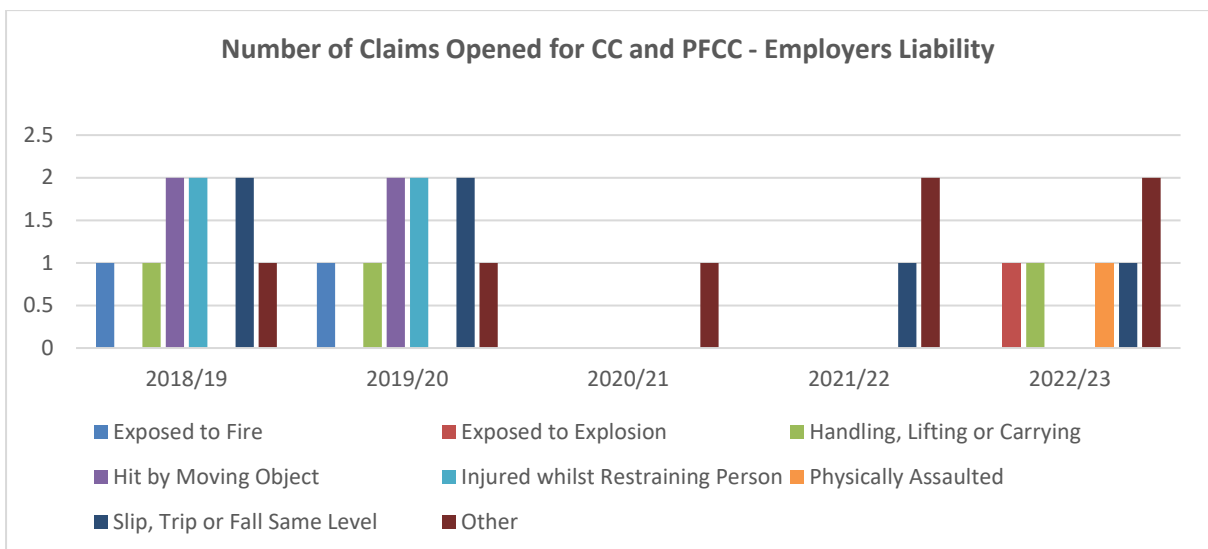
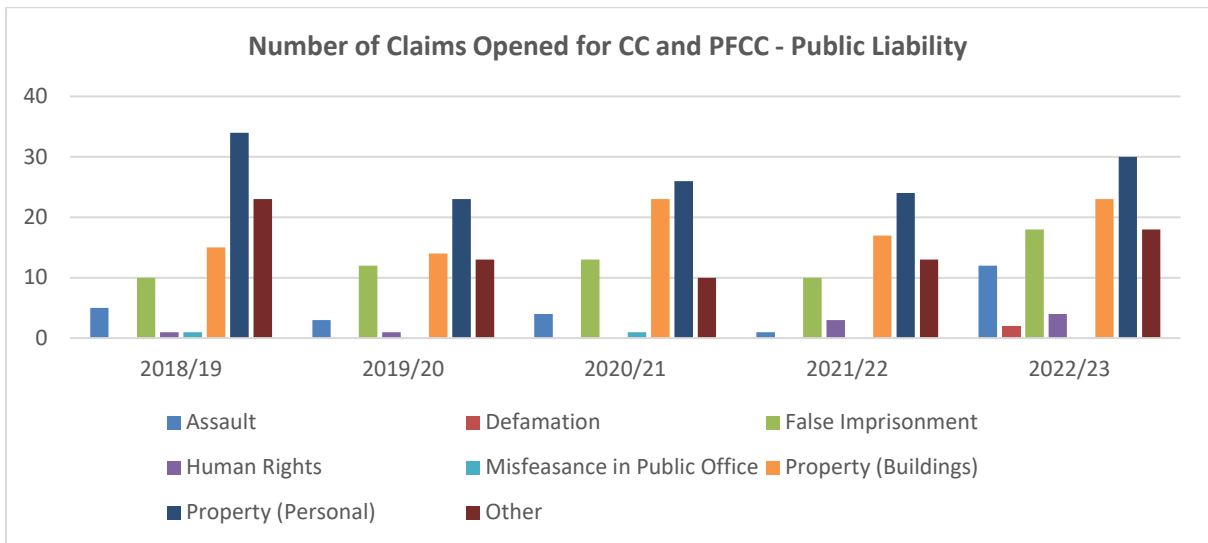
File Type	Number of Open Cases with Reserves	Estimate to be Paid from Provision £	Estimate to be Paid from Revenue £
Public Liability and Ex Gratia	86	330,245	12,344
Employers Liability	8	288,877	0
Third Party Motor	68	440,339	0
Motor Own Damage	23	59,604	0
Employment	19	481,735	0
Other	13	21,346	0
Total	217	1,622,146	12,344

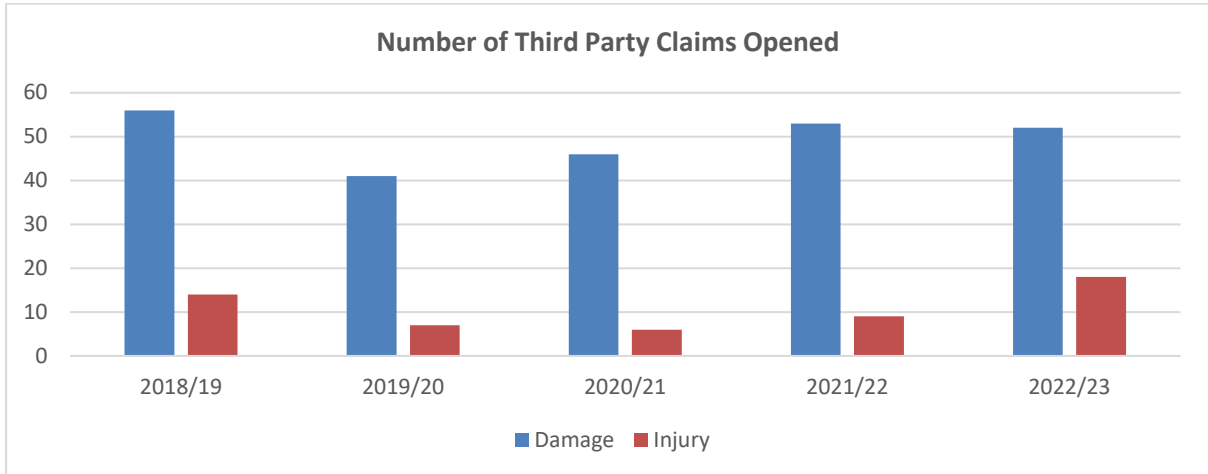
2.23 The other file type category includes Civil Orders, for example Dangerous Dogs, Domestic Violence Protection, Cash Seizure, Sexual Harm Prevention and Sexual Risk, Estates, Disclosure, Firearms Licensing, Inquests, Judicial Review, Operational Advice and Enquiries.

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**

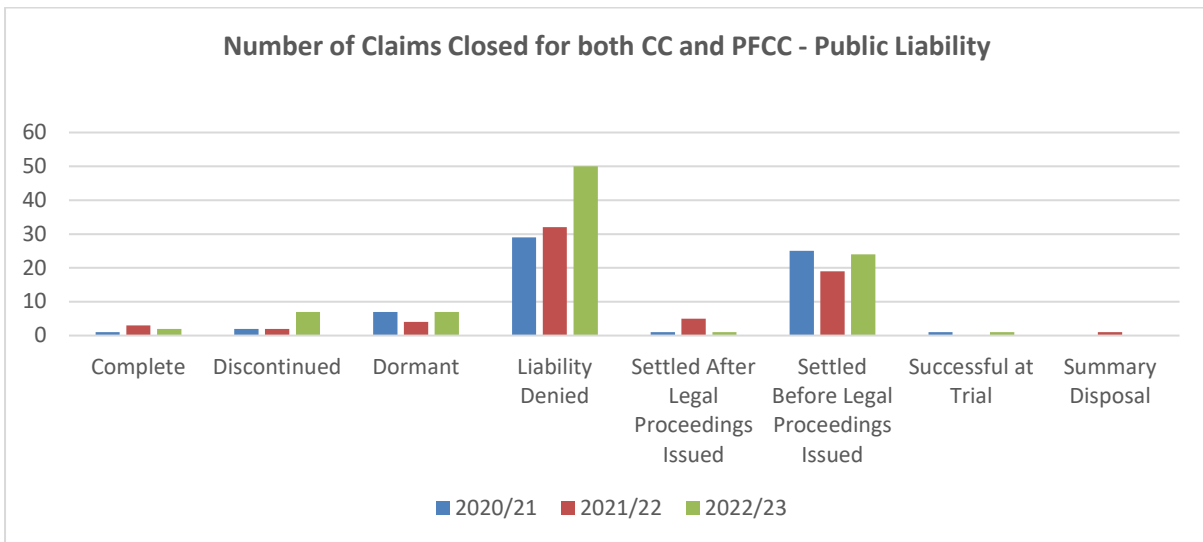
The graphs below show the number of cases opened for public liability, employer’s liability and third party motor during each year. The public liability and employer’s liability are for claims opened under the one main head of claim, however please note that one claim may be brought under several heads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

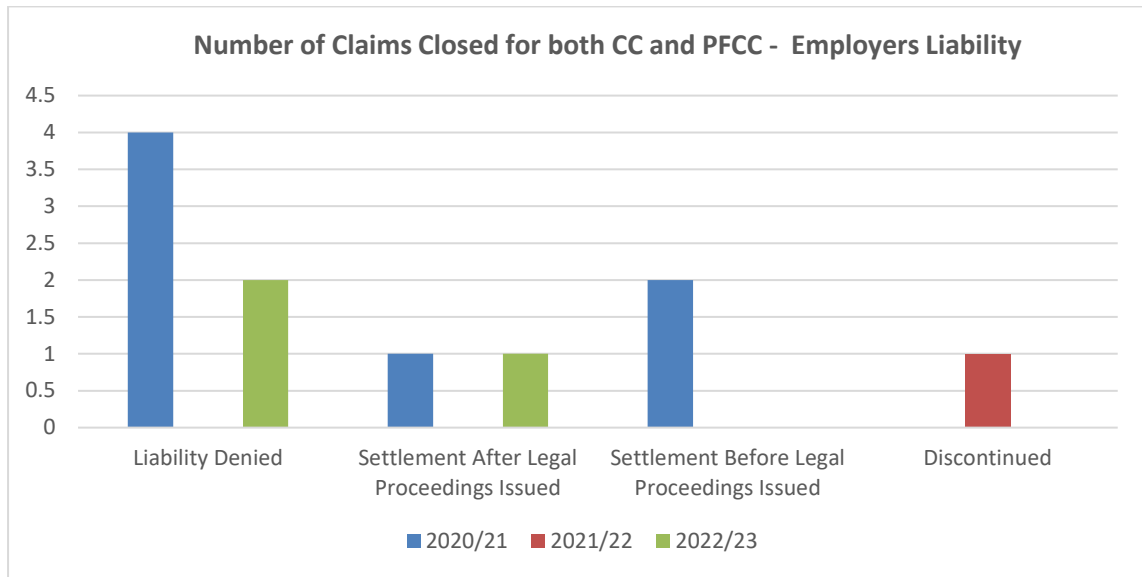




2.26 Number of Claims Closed During 2022/23

The graphs below show the number of cases closed for public liability and employer’s liability during 2020/21 to 2022/23 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, employer’s liability and third party motor. This is different to the figures provided above which are the number of claims opened per quarter or year, regardless of which insurance year they apply to, for example a claim may be opened in April 2022, where the incident date is April 2020 and therefore the insurance year for this claim would be 2020/21.

The total incurred figure is the payments made and professional estimates based on the information received from the claimant as at 31 March 2023. 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
2019/20	63	£121,155	0
2020/21	54	£84,530	0
2021/22	71	£195,955	0
2022/23	70	£121,224	0

Employers Liability

Insurance Year	Number of Claims	Total Incurred (Paid and Outstanding)	Number of Claims over Policy Excess £150,000
2019/20	2	£0	0
2020/21	2	£267,750	1
2021/22	4	£48,844	0
2022/23	1	£7,744	0

Third Party Motor

Insurance Year	Number of Claims	Total Incurred (Paid and Outstanding)	Number of Claims over Policy Excess £100,000 and £150,000 for 2022/23
2019/20	47	£126,526	0
2020/21	59	£192,563	0
2021/22	61	£234,172	0
2022/23	57	£216,610	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

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