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Briefing Paper – Evolve Legal Services Case Statistics

Document Information	
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Document Location:	Evolve Legal NYP Hub
Date:	27 January 2025
Audience:	Risk, Assurance and Improvement Board Joint Independent Audit Committee
Document Purpose:	Information

Version No.	Date Changed	Details of Change	Author
1.0	15/01/25	Initial Version	J Shuttleworth

Document Purpose

- To provide statistics relating to civil claims and other legal proceedings against North Yorkshire Police (NYP) for the period 1 October 2024 to 31 December 2024.
- To provide details of the number of open cases with reserves as at 31 December 2024.

Background Information

- 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 Office for Policing, Fire, Crime and Commissioning (OPFCC) in respect of such claims.
- Employers' liability and third party motor claims are handled by NYP's insurers who in turn instruct external solicitors if and as required. ELS investigate and co-ordinate the response to such claims.
- ELS also act for CC and OPFCC 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

Matters for Consideration

- **Public Liability Claims**

Numbers of public liability claims for both the Chief Constable and the Office for Policing, Fire, Crime and Commissioning 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

	01/10/23 – 31/12/23	01/01/24 – 31/03/24	01/04/24 – 30/06/24	01/07/24 – 30/09/24	01/10/24 – 31/12/24
Assault/Battery	0	0	0	1	1
Breach of Data Protection	0	0	0	0	2
Defamation	1	0	0	0	0
False Imprisonment	8	5	5	8	8
Harassment	1	0	0	0	0
Human Rights	0	1	1	0	0
Malicious Prosecution	0	0	0	0	1
Misfeasance in a Public Office	0	0	1	0	0
Property (Buildings)	8	8	8	6	5
Property (Personal)	7	7	4	11	6
Other	2	7	5	3	1
Total	27	28	24	29	24

- The files opened in the period 1 October 2024 to 31 December 2024 are currently estimated to represent a potential liability for damages of £469,949. The potential liability in respect of claimant solicitor's costs is £142,070 and for NYP defence costs (Counsel, external solicitor's and disbursements) is £55,000. These figures consist of payments made and professional estimates based on the information received to date from the claimant.
- A claim form is the document used to commence proceedings in the Civil Courts. In the period 1 October 2024 to 31 December 2024 one claim form was received in relation to this category.
- 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.
- In the period 1 October 2024 to 31 December 2024, 32 claims were closed. Payments made for these claims in respect of damages amounted to £23,862. £20,250 was paid in respect of claimant solicitor's costs and £732 was paid in respect of NYP defence costs.

Office for Policing, Fire, Crime and Commissioning

	01/10/23 – 31/12/23	01/01/24 – 31/03/24	01/04/24 – 30/06/24	01/07/24 – 30/09/24	01/10/24 – 31/12/24
Total	0	0	0	0	0

- No files were opened during the period 1 October 2024 to 31 December 2024.

- A claim form is the document used to commence proceedings in the Civil Courts. In the period 1 October 2024 to 31 December 2024 no claim forms were received in relation to this category.
- The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 October 2024 to 31 December 2024 no claims were closed.
- **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.

	01/10/23 – 31/12/23	01/01/24 – 31/03/24	01/04/24 – 30/06/24	01/07/24 – 30/07/24	01/10/24 – 31/12/24
Slip, Trip, Fall on Same Level	0	0	0	0	0
Other	0	0	0	0	0
Injured by an Animal	0	0	1	0	0
Hit by a Moving, Flying or Falling Object	0	1	0	0	0
Total	0	1	1	0	0

- During the period 1 October 2024 to 31 December 2024 no files were opened.
- One claim form was received in relation to this category during the period 1 October 2024 to 31 December 2024.
- The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 October 2024 to 31 December 2024 one claim was closed. This was successfully defended.
- **Third Party Motor Claims**

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

	01/10/23 - 31/12/23	01/01/24 - 31/03/24	01/04/24 - 30/06/24	01/07/24 - 30/09/24	01/10/24 - 31/12/24
Damage	13	17	16	11	9
Injury	1	4	5	5	1
Total	14	21	21	16	10

- The files opened in the period 1 October 2024 to 31 December 2024 are currently estimated to represent a potential liability in damages of £26,755. The potential liability in respect of claimant solicitor’s costs and for NYP defence costs (Counsel, external solicitor’s and disbursements) is nil. These figures consist of payments made and professional estimates based on the information received to date from the claimant.

- Four claim forms were received for cases in this category during the period 1 October 2024 to 31 December 2024.
- The file closure criteria described at paragraph 2.7 are also applied to these cases. During the period 1 October 2024 to 31 December 2024, 17 claims were closed. Payments made for these claims in respect of claimant damages amounted to £44,480. £5,129 was paid in respect of claimant solicitor's costs and £958 for NYP defence costs. The figures provided in respect of payments include the full cost of the claim, i.e. including the amount paid by insurers.
- **Other Claims**

The number of other claims opened are set out below.

	01/10/23 - 31/12/23	01/01/24 - 31/03/24	01/04/24 - 30/06/24	01/07/24 - 30/09/24	01/10/24 - 31/12/24
Employment Tribunal	1	0	0	0	0
Judicial Review	0	0	0	2	1

- During the period 1 October 2024 to 31 December 2024 no files were closed in respect of employment tribunal and judicial review claims.
- **Open Cases**
- I detail below all open cases as at 31 December 2024 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	72	594,841	126,379
Employers Liability	6	231,005	0
Third Party Motor	69	307,911	82,119
Motor Own Damage	14	14,896	143,552
Employment	48	417,773	248,384
Other	12	6,575	8,529
Total	221	1,573,001	608,963

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

Decisions Required

- No decision is required as the paper is for information only.