

Report to the Police & Crime Commissioner for Cleveland



Exception Reporting of Civil Claims Cases

Background

This report is being presented to the PCC Audit Committee following the settlement of a civil claim case that meets either of the following criteria:

- the case has been defended by the Force but has been lost;
- the amount payable in finalising the case is above the insurance 'excess' of the Force.

The Force has insurance in place to cover payments for public liability claim cases with an 'excess' of £125,000. This means that where any claims are settled above this level the Force pays the first £125,000 of the claim. Any claims settled below this amount are funded from Force budgets.

All exception reports presented to the Audit Committee will be included in the routine civil claim statistics reports that are presented on a six monthly basis.

Summary of the Case

The Claimant pursued claims for damages for breaches of Articles 3 and 8 ECHR as a result of failures by Cleveland Police which resulted in the Claimant being the victim of a serious offence in 2018. As a result, the Claimant suffered psychiatric damage.

The circumstances of this case are extremely sensitive and the Claimant was given an Anonymity Order so we are unable to provide further details as the Claimant could be identified.

Summary of the Outcome

Following a full complaint investigation, a series of failings were identified regarding the passing on of information and the attending officers making insufficient enquiries.

Instructions to settle were obtained from then DCC Fuller and authority in respect of damages was approved by Michael Porter, and both were in possession of the full facts of the case.

The claim was settled out of court and the total paid for damages and legal costs of both parties was £126,282.00 which was slightly over our deductible.

Michelle Phillips
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