

REQUEST FOR DMPC DECISION – PCD 1674

Application to settle a claim against the Metropolitan Police Service (MPS)

Executive Summary:

The DMPC agree a request to settle a claim against the MPS, as set out in the part 2 report.

The Deputy Mayor for Policing and Crime has the discretion to authorise the settlement of legal proceedings where it would be conducive to the maintenance of an efficient and effective police force.

Recommendation:

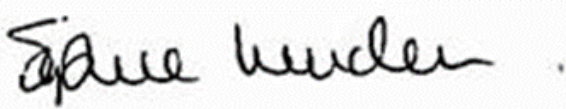
The DMPC is asked to approve an application to settle a claim against the MPS, as identified in part 2 of this report.

Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature



Date 17/06/2024

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC

Decision required – supporting report

1. Introduction and background

- 1.1. 1 August 2019, the Deceased was struck by a marked police vehicle, on the A21, outside Princess Royal hospital, Bromley. The police vehicle was responding to a request for assistance, with sirens and blue lights activated and was travelling at approximately 40 mph on the wrong side of the dual carriageway, when the deceased stepped out from behind a bus.
- 1.2. Liability is in dispute, with contributory negligence being a significant issue if primary liability is established.
- 1.3. Authority is sought to settle the claim on the basis of the evidence obtained in relation to the value of the Claimant's and other dependents' claims.

2. Financial Comments

- 2.1. The cost of any settlement, if agreed, would be met from the centrally held MPS third party claims provision budget.

3. Legal Comments

- 3.1. Pursuant to the MOPAC Scheme of Consent and Delegation 2016, MOPAC must authorise the settlement because it fulfils the criteria set out in section 4.10 of the Scheme including the financial level.
- 3.2. The DMPC has the power to authorise any sum required in connection with the settlement for any claim made against the Commissioner under Section 88 of the Police Act 1996.
- 3.3. There is an open and exempt report as some of the information relates to data protection, is commercially sensitive and is legal professional privileged.

4. Equality Comments

- 4.1. To continue policing with the consent of the population it serves, the police will always seek to treat everyone fairly and openly. Race or equality issues do not appear to have an impact in this matter.

5. Background/supporting papers

- 5.1. Part two exempt reports

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? Yes

If yes, for what reason: Negotiations are ongoing

Until what date:

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – YES

ORIGINATING OFFICER DECLARATION:

	<i>Tick to confirm statement (✓)</i>
Head of Unit: The Judith Mullett has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
Legal Advice: The MPS legal team has been consulted on the proposal.	✓
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓

OFFICER APPROVAL**Chief Executive**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

A handwritten signature in dark ink, appearing to be 'JBL' or similar, written on a light blue background.

(Delegated CEO authority)

Date 17/06/2024