

REQUEST FOR DMPC DECISION – PCD 1795

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

Executive Summary:

The DMPC agree an increase to the authority to settle the claim of XAB. Settlement has been agreed on two of the three claims 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.

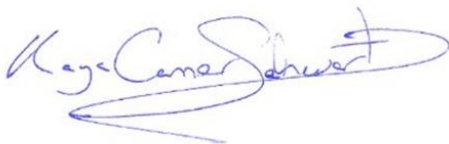
Recommendation:

The DMPC is asked to approve an increase to the previous authority received to settle the claim of XAB, identified in the exempt part 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 13/01/2025

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

Decision required – supporting report

1. Introduction and background

- 1.1. The Claimants bring claims for Assault, Misfeasance in Public Office, discrimination under the Equality Act, breaches of Articles 3, 8 and 14 of the Human Rights Act, along aggravated and exemplary damages. Their claims arise from an incident on 8 May 2019. The Second Claimant was escorting four patients including the First and Third Claimants. The First Claimant became distressed and ran away from the others. The First Claimant was reported missing to police.
- 1.2. The First Claimant was subsequently found by a member of the public who called police who detained her using handcuffs, batons and CS spray when they did not respond to their commands. The Second and Third Claimants attempted to intervene resulting in an altercation with police.
- 1.3. The claims of the Second (ZA) and Third Claimant (CS) were compromised at ADR on 22 October 2024.

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. Claims have been presented under the Equality Act. At present there is no evidence of discrimination, but this has been raised as a specific allegation by the Claimant solicitors.

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.

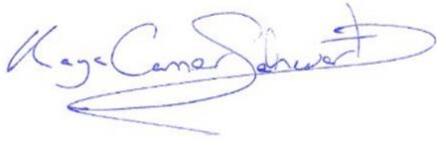
Is there a **Part 2** form – YES

ORIGINATING OFFICER DECLARATION:

| | <i>Tick to confirm statement (✓)</i> |
|--|--------------------------------------|
| Head of Unit: The Fiona Murphy 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

Date 13/01/2025