

REQUEST FOR DMPC DECISION – DMPCD 2015 40

Title: Request for authorisation to settle a claim against the Metropolitan Police Service (MPS)

Executive Summary:

The DMPC agree a request for authorisation 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:

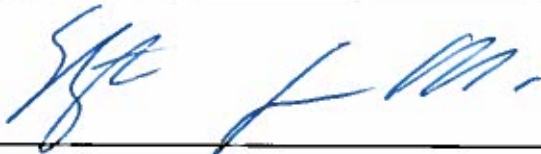
The DMPC authorises the settlement of a claim up to a maximum amount, as identified in part 2 of this report.

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

26/3/2015

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

Decision required – supporting report

1 Introduction and background

- 1.1 DMPC has received a request from DLS seeking approval to settle the claims identified in the exempt part of this report.
- 1.2 The claim relates to an incident that took place on the night of the 17 July 2009.
- 1.3 Proceedings and medical evidence to support the claim were served in February 2015.

2 Issues for consideration

- 2.1 The claims brought by members of the public are for damages including aggravated and exemplary damages. The 3 claimants allege they were pulled from their vehicle following a police chase and were subjected to a violent assault by police officers. The claimants' claim damages for false imprisonment, assault and battery and breach of the Human Rights Act (Articles 3, 5 and 8). They all claim to have suffered physical and psychiatric injuries.

3 Financial Comments

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

4 Legal Comments

- 4.1 Pursuant to the MOPAC Scheme of Delegation dated September 2013, DMPC must authorise settlements above £50,000 or those claims that are otherwise high profile or sensitive, according to the criteria set out in section 5.7 of the Scheme.
- 4.2 The DMPC has the power to pay any sum required in connection with the settlement for any claim made against the Commissioner under Section 88 of the Police Act 1996.
- 4.3 There is an open and exempt report as some of the information relates to data protection, is commercially sensitive and is legal professional privileged.

5 Equality Comments

- 5.1 The Equality and Diversity impact is documented in the exempt report.

6 Background/supporting papers

- 6.1 Attached part 2 report.

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the MOPAC website within 1 working day of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would compromise the implementation of the decision being approved.

Is the publication of **this** form to be deferred? NO

If yes, for what reason:

Until what date (if known):

Is there a **part 2** form – YES

If yes, for what reason: Information contained in the Part 2 falls under the following FOIA Exemptions:
There is an open and exempt report as some of the information relates to data protection, is commercially sensitive and is legal professional privileged

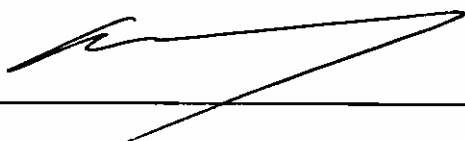
ORIGINATING OFFICER DECLARATION:

	<i>Tick to confirm statement (✓)</i>
Head of Unit: Sue Leffers 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 Head of Strategic Finance and Resource Management has been consulted on this proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report and the Workforce Development Officer has been consulted on the equalities and diversity issues within this report.	✓

OFFICER APPROVAL**Chief Operating Officer**

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 26/3/15

