

REQUEST FOR DMPC DECISION – DMPCD 2014 163

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

Executive Summary:

The DMPC agree to the settlement of a civil action against the MPS as set out in part 2 of this 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:

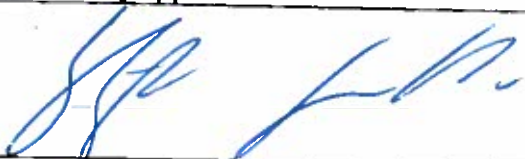
The DMPC approves the settlement of the claim as identified in part 2 of this report.

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

19/12/2014

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 claim identified in the exempt part of this report.

2 Issues for consideration

2.1 The claim is for false imprisonment and assault and the physical and psychiatric injuries sustained in the incident.

2.2 One officer involved in this incident has been dismissed for discreditable conduct. One other officer is currently facing gross misconduct proceedings.

3 Financial Comments

3.1 The cost will be paid by DLS against a MPS delegated budget

4 Legal Comments

4.1 Pursuant to the MOPAC Scheme of Delegation and Consent 2014, the DMPC must authorise the settlement because it fulfils the criteria set out in section 4.10 of the Scheme which deals with the financial settlement of all significant claims, including the financial level.

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 To continue policing with the consent of the population it serves, the police will always seek to treat everyone fairly and openly. This claim does not raise particular issues here

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: Annabel Cowell 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. OR	✓
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 19/12/2014

