



FREEDOM OF INFORMATION REQUEST

FOI Reference number: 18/2013

Date: 23rd May 2013

- Request:**
1. The total amount of money paid out by NIPB / Chief Constable in civil actions for each of the years (separately) from the period 2004-5 to the present in respect of the category – “claims for wrongful acts”?
 2. The total amount of claims for each of the years (separately) from the period 2004-5 to the present in respect of the category – “claims for wrongful acts”?
 3. The categories of wrongful act to which 1. and 2 above refer, in such a form as to be able to sub-divide those statistics into categories of wrongful act?
 4. What is the highest amount paid in a single settlement in each of the relevant years?
 5. What formal arrangements are in place between the NIPB and the Office of the Police Ombudsman to reconcile civil actions with alleged misconduct by officers?
 6. What formal arrangements are in place between the NIPB and the PSNI to ensure that the Chief Constable refers civil actions, which disclose alleged misconduct by officers, to the Police Ombudsman?

Answer:

1. 2012/13 = £439,737.50
2011/12 = £181,941.36
2010/11 = £237,257.71
2009/10 = £397,025.00
2008/09 = £297,328.00
2007/08 = information not held by the Board
2006/07 = information not held by the Board

2005/06 = information not held by the Board

2004/05 = £1431.00*

**only average settlement amount figure held*

2. 2012/13 = 346

2011/12 = 349

2010/11 = 293

2009/10 = 284

2008/09 = 241

2007/08 = 182

2006/07 = 249

2005/06 = information not held by the Board

2004/05 = information not held by the Board

3. *This information is not held by the Board. If you re-direct your enquiry, the PSNI may hold this information.*

4. This information is not held by the Board in the format requested. Again, If you re-direct your enquiry, the PSNI may be able to assist.

5. There are no formal arrangements in place between the Board and the Office of the Police Ombudsman in respect of reconciling civil actions with alleged misconduct by officers. The Board's statutory duty under section 3(3)(c)(i) of the Police (Northern Ireland) Act 2000 is to keep itself informed of disciplinary proceedings and trends and patterns in complaints. This function is carried out by the Board's Performance Committee which, in line with the Professional Standards Monitoring Framework, considers statistical information on the number of personal injury and civil litigation claims against the PSNI, including an outline of costs. As part of the framework the Committee also receives statistical information on the number of officers suspended and repositioned. The Committee does not receive detailed information either on the allegation against an officer nor in respect of civil litigation claims against the PSNI.

6. There are no formal arrangements in place between the Board and the PSNI to ensure that the Chief Constable refers civil actions, involving alleged misconduct

of officers, to the Police Ombudsman's office per se. Section 52 of the Police (Northern Ireland) Act 1998, does however place an obligation on both the Board and the Chief Constable to forward any complaints against the police to the Police Ombudsman's office. Moreover, section 55 places a statutory duty on the Board and the Chief Constable to refer to the Police Ombudsman for investigation any matter which may have involved an officer committing a criminal or misconduct offence and it is in the public interest that it should be investigated. The Chief Constable must also refer any deaths that appear to result from the conduct of an officer for independent investigation. At the conclusion of the investigation the Police Ombudsman will forward a report to the Board and the Chief Constable for consideration. If the Police Ombudsman has recommended disciplinary action against a senior officer within the PSNI, the Board is responsible for instigating disciplinary proceedings. In any other case this function will be carried out by the PSNI's Service Improvement Department and reported to the Board's Performance Committee as outlined at point 5 above.

If you have queries about this request or the decision please contact the Board quoting the reference number above. If you are unhappy with the service you have received and wish to make a complaint or request a review you should write to the Board's Chief Executive at the following address:

Northern Ireland Policing Board
Waterside Tower
31 Clarendon Road
Clarendon Dock
Belfast BT1 3BG

Email: foi@nipolicingboard.org.uk

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner. Generally, the Information Commissioner's Office cannot investigate or make a decision on a case unless you have exhausted the complaints procedure provided by the Board. The Information Commissioner can be contacted at:-

The Information Commissioner's Office – Northern Ireland
3rd Floor
12 Cromac Place
Gasworks
Ormeau Road
Belfast
BT7 2JB.

Telephone: - 02890 269 380
Email: - ni@ico.org.uk

Please be advised that all Policing Board replies under Freedom of Information will be released into the public domain via our website @ www.nipolicingboard.org.uk.

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.