



**Force Disclosure Unit**  
Police Headquarters  
London Road  
DEVIZES  
Wiltshire  
SN10 2DN

Date: 14<sup>th</sup> February 2023

Ref: FOI 2023/087

Dear,

I write in connection with your request for information dated 17<sup>th</sup> January 2023 concerning Police compensation claims.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and after having consulted Insurance and Litigation Department – I am now able to respond as follows.

**You wrote:**

Can I please ask how many payments and the combined total of payments have been made for compensation claims from your police force in 2018, 2019, 2020, 2021 and 2022? Can these be sent as separate annual totals?

Further, can I have the details - within the limits of privacy and protection - for any individual compensation payments over £50,000 within these years. If, for instance, a compensation has been granted for a death in custody, could the reason, gender and age of victim, prison and total compensation be cited? If any of these would violate the FOI and as such result in a rejection, please redact and proceed on the others.

I'd also like this separated into police officer compensation and civilian compensation please.

**Our response:**

Your request for information has been considered and I am not obliged to supply all of the information you have requested as it is exempt by virtue of Section 42(1).

This is because whilst details of compensation claims have been provided to you below, please note, that there may be further information regarding other claim(s) held which cannot be included within the disclosure by virtue of S42(1).

Section 42 is a qualified exemption which requires an examination of the public interest considerations in favour and against disclosure, which will be carried out below.

### Public Interest Test:

#### Factors favouring disclosure

Disclosing this information would allow for greater transparency and openness and promote public debate surrounding compensation claims the force deals with.

#### Factors against disclosure

There is strong public interest in protecting the confidentiality of communications taken place surrounding certain claim(s) made, and such confidentiality promotes respect for the rule of law by allowing full and frank exchanges between clients and lawyers to be made.

#### Balancing Test

Whilst there is public interest in disclosing this information, the factors favouring against disclosure over-ride this because the public interest in protecting the Legal Professional Privilege, far outweighs this.

***As a result, the balance of public interest lies in favour of withholding the information.***

With regards to the remaining information requested, please see the tables below for more information:

| Year               | Case Type          | Number of Compensation Claims | Cost Description     | Total Cost        |
|--------------------|--------------------|-------------------------------|----------------------|-------------------|
| 2018               | Employer Liability | 1                             | Payment - Settlement | £1,000.00         |
| 2019               | Employer Liability | 2                             | Payment - Settlement | £9,110.00         |
| 2020               | Employer Liability | 2                             | Payment - Settlement | £58,951.00        |
| 2021               | Employer Liability | 3                             | Payment - Settlement | £9,998.63         |
| 2022               | Employer Liability | 3                             | Payment - Settlement | £13,193.87        |
| <b>Grand Total</b> |                    |                               |                      | <b>£92,253.50</b> |

| Year | Case Type | Number of Compensation Claims | Employee or Civilian | Cost Description     | Cost       |
|------|-----------|-------------------------------|----------------------|----------------------|------------|
| 2018 | Motor     | 4                             | All Civilian         | Payment - Settlement | £21,611.15 |
| 2019 | Motor     | 15                            | All Civilian         | Payment - Settlement | £53,223.76 |

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|                    |       |   |                            |                      |                    |
|--------------------|-------|---|----------------------------|----------------------|--------------------|
| 2020               | Motor | 3 | 2 x Officers, 1 x Civilian | Payment - Settlement | £12,500.00         |
| 2021               | Motor | 4 | All Civilian               | Payment - Settlement | £37,740.40         |
| 2022               | Motor | 3 | All Officers               | Payment - Settlement | £25,200.00         |
| <b>Grand Total</b> |       |   |                            |                      | <b>£150,275.31</b> |

| Year               | Case Type        | Number of Compensation Claims | Cost Description     | Cost               |
|--------------------|------------------|-------------------------------|----------------------|--------------------|
| 2018               | Public Liability | 4                             | Payment - Settlement | £28,300.00         |
| 2019               | Public Liability | 2                             | Payment - Settlement | £3,537.00          |
| 2020               | Public Liability | 6                             | Payment - Settlement | £84,030.24         |
| 2021               | Public Liability | 2                             | Payment - Settlement | £18,560.00         |
| 2022               | Public Liability | 7                             | Payment - Settlement | £44,485.00         |
| <b>Grand Total</b> |                  |                               |                      | <b>£178,912.24</b> |

In relation to any individual compensation payments that have been made over £50,000, there was one settlement payment made in 2020 that was over £50,000, however, there is no further information held about this as this relates to an officer from another force who undertook training with Wiltshire Police.

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemptions applied:

Section 42(1) – Legal Professional Privilege

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Force Disclosure Decision Maker

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www.wiltshire.police.uk |  Facebook/wiltshirepolice |  Twitter/@wiltshirepolice |  LinkedIn/company/wiltshirepolice

Wiltshire Police offers a re-examination of your case under its review procedure.



## **Force Disclosure Unit**

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN  
Telephone 101

### Freedom of Information Request Appeals Procedure

#### **1. Who Can Ask for a Review**

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

#### **2. How to Request a Review**

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit  
Wiltshire Police Headquarters,  
London Road, Devizes,  
Wiltshire,  
SN10 2DN

Email at [disclosure@wiltshire.police.uk](mailto:disclosure@wiltshire.police.uk).

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FOI request.

#### **3. Review Procedure**

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

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#### **4. Conclusion of the Appeal**

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review, they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 01625 545 700  
Fax: 01625 524 510  
Email: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)