

Our Ref: IM-FOI-2022-1086
Date: 14 June 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

I am looking for civil court cases involving motor liability and public liability although will just take motor if too much for both.

- 1. How much money has police Scotland paid out in civil court cases and employment tribunals 2018, 2019, 2020, 2021, 2022?***
- 2. Breakdown of what each case was and breakdown of how much money was paid out in each case?***
- 3. If too much for that just breakdown 2020, 2021, 2022?***

CLARIFICATION

Thank you for your recent Freedom of Information request. Could you however clarify which court cases you are referring to? Police Scotland deal with many types of civil court actions including motor liability, public liability and employer's liability. Refining your request will enable the business area to retrieve your information more easily.

I was looking for civil court cases involving motor liability and public liability although will just take motor if too much for both.

In accordance with Sections 12(1) (Excessive cost of compliance) and 16(4) (Refusal of request) of the Freedom of Information (Scotland) Act 2002 (the Act), this letter represents a Refusal Notice.

By way of explanation, the way in which Police Scotland's Legal Services Department record information does not allow us to readily identify which claims intimated against Police Scotland (both motor liability and public liability) progressed to a court action.

By further way of explanation, claim handling registers are created to track and record certain information relating to motor liability claims, public liability claims and employer's liability claims. The registers were not created to record whether court actions were raised and therefore it is not always clear from the registers themselves whether a file involved a court action. Further we do not hold a similar register in respect of employment tribunals.

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In order to provide all of the requested information would require the interrogation of thousands of individual e-files and such a task would take in excess of 40 hours prescribed by the Scottish Ministers within the legislation.

However to be of assistance and in relation to Employment Tribunal claims, we can provide the amount of compensation paid out in such claims in the financial years 2020/2021, and 2021/2022.

Prior to this, Employment Tribunal claims were coded to Employer Liability (ELC) claims and to provide the information requested we would require to interrogate every ELC e-file for the time period identified to establish which ones were Employment Tribunal claims and again such a process would take in excess of 40 hours prescribed by the Scottish Ministers.

The compensation paid out for Employment Tribunals during the financial years 2020/2021 and 2021/2022, is provided below:

2020/2021(£)	2021/2022(£)
12,000.00	50,000.00
25,000.00	1,000.00
	16,801.60
	16,801.60
	42,500.00
	5,000.00
	1,000.00
	25,000.00
	4,000.00
	5,000.00
	25,000.00
	30,000.00

Should you require any further assistance please contact Information Management - Glasgow at – foi@scotland.police.uk – quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

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As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information Disclosure Log in seven days' time.