



Home Office

# Consultation on reform of the Riot (Damages) Act 1886

June 2014

### Scope of consultation

Topic of Consultation:	This consultation seeks your views on reforming the Riot (Damages) Act 1886 (RDA)
Scope of consultation:	This consultation applies to stakeholders, businesses and individual members of the public regardless of whether they have previously been affected by riots or not.
Geographical scope:	England and Wales only.
Impact assessment:	Attached

### Basic information

To:	We are keen to hear from: <ul style="list-style-type: none"><li>• Police and Crime Commissioners and police forces;</li><li>• the insurance industry;</li><li>• local authorities;</li><li>• members of Parliament and the Lords</li><li>• businesses; and</li><li>• any interested member of the public</li></ul>
Duration:	8 weeks. The consultation will close on 1 August 2014
Enquiries and how to respond:	Information on how to respond can be found on GOV.UK. Responses can be submitted online through the Home Office website, by email to <a href="mailto:RDAconsultation@homeoffice.gsi.gov.uk">RDAconsultation@homeoffice.gsi.gov.uk</a> or by post to:  RDA consultation Police Resources Policy Team Crime and Policing Group 6th floor Fry Building 2 Marsham Street London SW1P 4DF  This document is also available in Welsh from the Home Office website.
Alternative formats:	Please contact the Home Office at the address above if you require information in any other format such as Braille, large font or audio or email <a href="mailto:alternativeformats@homeoffice.gsi.gov.uk">alternativeformats@homeoffice.gsi.gov.uk</a>
After the consultation:	Responses will be analysed and a 'Response to the Consultation' document will be published. This will explain the Government's final policy intentions. All responses will be treated as public, unless stated otherwise.

Consultation Co-ordinator	<p>If you have a complaint or comment about the Home Office's approach to consultation, you should contact the Home Office Consultation Co-ordinator, Barima Asante. Please DO NOT send your response to this consultation to Barima Asante. The Co-ordinator works to promote best practice standards set by the Code of Practice, advises policy teams on how to conduct consultations and investigates complaints made against the Home Office. He does not process your response to this consultation.</p> <p>The Co-ordinator can be emailed at: <a href="mailto:Barima.Asante@homeoffice.gsi.gov.uk">Barima.Asante@homeoffice.gsi.gov.uk</a> or alternatively write to him at: Barima Asante, Consultation Co-ordinator Home Office 3rd Floor Peel 2 Marsham Street London SW1P 4DF</p>
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- any personal information will be stored on a secure system.
- it will not be shared with third parties.
- your personal information will be kept on record for no more than six months and be used for purposes of this consultation only; and
- you may be contacted by a Home Office official for your feedback on this consultation and to discuss your answers in more detail.

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## Ministerial Foreword

The scale of the riots that took place in August 2011 was unprecedented in terms of the damage caused which adversely affected the lives of many individuals and businesses.

The Riot (Damages) Act 1886, the legislation that provided the legal basis upon which claims from businesses and individuals were made, is over 125 years old. Although the Act has rarely been used it is right, following the events of August 2011, to review this piece of legislation. After an internal review an independent review was later commissioned by the Home Secretary. This was in recognition of the varying perspectives and complex issues involved in riot compensation payments and to ensure that future changes were well-informed and proportionate.

The independent review was published on 8 November 2013. I am grateful to Neil Kinghan for his thorough and detailed report, which drew on the views of many stakeholders and members of the public. His independent review informs the direction of much of this public consultation.

Going forward our aim is to enact modern affordable legislation that provides a safety net for individuals and businesses with the most to lose, but the least capacity to afford insurance premiums. We are launching this consultation to enable stakeholders and members of the public to input into certain changes we are considering.

A handwritten signature in black ink, appearing to read 'Damian Green'.

Rt Hon Damian Green MP

# 1. About this consultation

## 1.1 Introduction

The Riot (Damages) Act came into effect in 1886 and although this legislation has been rarely used it has remained substantively unchanged since its inception.

The Government has considered the full range of options for the future of riot compensation payments. Further detail on this is included in Chapter 2 of Neil Kinghan's report<sup>1</sup>. We agree with the proposal made by Mr Kinghan to repeal the 1886 Act and replace it with a modernised version. This consultation is specifically seeking views for reform of certain aspects of the Act.

The Government has also taken on board criticisms around the processing of riot compensation claims, which were highlighted in the independent review. Whilst the main focus of this consultation is on potential legislative changes, we are also seeking views on proposed improvements to the claims process. In this area the Government intends to build further on the independent review by providing greater flexibility for claimants in the application process.

## 1.2 Objectives

The policy objectives are to:

- produce a modernised piece of legislation to replace the Riot (Damages) Act (RDA) and to clarify which losses individuals and businesses can claim for in the event of a riot;
- protect the most vulnerable in society from damage incurred in riots;
- discourage greater levels of under insurance;
- ensure arrangements are put in place to assess and resolve claims quickly; and
- take account of the affordability of the Act on the public purse.

## 1.3 Background

The independent reviewer considered the following five options:

- a) repeal the Riot (Damages) Act and put nothing in its place;
- b) leave the Act in place and rely on administrative changes;
- c) repeal the Act and replace it with a modernised version;
- d) repeal the Act and replace it with a power to implement a discretionary scheme whose criteria are not prescribed in statute; and
- e) repeal the Act and replace it with a scheme similar to the collaborative arrangement for terrorism insurance, known as Pool Re.

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<sup>1</sup> Independent Review of the Riot (Damages) Act published on 8 November - [https://www.gov.uk/Government/uploads/system/uploads/attachment\\_data/file/255990/riot\\_damages\\_act\\_review.pdf](https://www.gov.uk/Government/uploads/system/uploads/attachment_data/file/255990/riot_damages_act_review.pdf)

The Government considers there is a strong moral case for continuing to ensure that individuals and small businesses are protected from uninsured losses in the event of a riot. **For this reason the Government will not pursue Option a).**

It is clear from the experience of stakeholders and claimants alike that whilst the Act did provide compensation for many people, it is in need of modernisation and reform. Claimants expressed concern at the lack of clarity as to whether certain matters were covered whilst decision-makers stated that the Act hindered rather than aided their ability to resolve specific issues (such as the ability to make interim payments). **The Government considers that leaving the Act in its present form is not acceptable and will not pursue Option b).**

The Government considers that there are benefits in a scheme wholly based on discretion, in particular in that it offers flexibility in tailoring solutions to specific problems. However the Government wconsiders that it would be preferable to have a scheme governed by criteria in primary legislation, rather than purely discretion. Also the Government would concur with the independent reviewer on the need to avoid making decisions on the rules relating to riot compensation in the immediate aftermath of a riot. **For these reasons the Government will not consider option d) further.**

A “Pool Re” approach was previously considered for riot compensation payments. The Pool Re scheme was created as a way of meeting the potentially high costs associated with a terrorist attack<sup>2</sup>. This model is not comparable to riots and found no support from stakeholders during the course of the independent review. **Therefore the Government does not consider option e) to be viable.**

The Government agrees with the opinion of the independent reviewer that the Riot (Damages) Act should be modernised by way of replacing the current Act with a modernised version. This will ensure archaic terminology is replaced and that the new Act will provide transparency over what is and is not covered. **The Government is, in this consultation, seeking views on some specific measures for reforming the approach to riot compensation payments.**

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<sup>2</sup> Pool Re is a scheme created whereby commercial companies pay premiums for terrorism cover, which includes an amount that goes into a Pool Re fund. In the event of damage caused by an attack the Pool Re fund is used to reimburse participating insurers with a proportion of the settlement they have paid out. If an event causes the Pool Re fund to become exhausted then the Pool Re company may draw funds from the Government (which is later repaid through future income).

## 2. Liability and definition

### 2.1 Liability

The Government intends to adopt the recommendation of the independent reviewer that the principle of police accountability for riot damage should be retained in a new Act. Whilst the underlying causes of riots can vary, police action is intrinsically linked to preventing or quelling such disturbances. Where there is a failure in that regard, then individuals and small businesses who have suffered through no fault of their own should be entitled to compensation.

After the riots of August 2011 the Government met the cost of claims paid out by police authorities (later Police and Crime Commissioners) and the Mayor's Office for Policing and Crime (MOPAC). If larger scale riots that instigate the use of a Riot Claims Bureau take place in future, then liability in the first instance would rest with Police and Crime Commissioners (PCCs). Any additional funding provided by Government would be assessed on a case-by-case basis.

### 2.2 Definition

For the purposes of compensation, Section 2(1) of the current Riot (Damages) Act refers to a riot as "any persons riotously and tumultuously assembled together" (see annex 6.3). The Public Order Act 1986 defines the offence of riot, including for the purposes of the 1886 Act as "12 or more persons who are present together use or threaten unlawful violence for a common purpose and the conduct of them (taken together) is such as would cause a person of reasonable firmness present at the scene to fear for his personal safety."

In practice, when deciding claims from the 2011 riots, the definitions from the Riot (Damages) Act and Public Order Act provided a framework for police authorities to determine whether individual claims should be considered as relating to a riot. However, both claimants and decision-makers found the lack of a self-contained definition to be confusing and the language used in the Riot (Damages) Act archaic.

Although the independent reviewer did not specifically recommend a change to the riot definition he did suggest considering use of the current Public Order Act definition. We would invite stakeholders to provide views on this issue.



**Question 1: What definition of 'riot' do you think should be used in future?**

- a) *Current approach – i.e. the existing Riot (Damages) Act definition supplemented by the definition of a riot as in the Public Order Act*
- b) *Solely use the definition in the Public Order Act*
- c) *Neither of the above*
- d) *Other.*

### **2.3 Making decisions on riot areas**

The independent reviewer felt that PCCs (and in London the Deputy Mayor for Policing and Crime) should be responsible for deciding whether a civil disturbance qualifies as a riot and that such assessment should be made within seven days of the incident occurring.

The Government has concerns about the practicality of this recommendation. Whereas certain riot zones could be quickly and easily identified in August 2011, not every incident that took place during those disturbances occurred because of rioting. There were incidences of opportunistic and planned crime that clearly did not meet the definition of a riot.

Although some core riot zones were easier to determine in most cases, police authorities largely had to rely on evidence before determining whether a case satisfied the definition of riot. In many cases this evidence took a considerable amount of time to be compiled. The Government would be concerned about summary decisions being made on all riot areas without sight of evidence put forward by claimants which, in our view, would enable a more informed decision to be made.

An alternative might be for PCCs to determine the core riot zones within their force areas within seven days. A core riot zone would be an area where there is no question that the damage incurred in the zone was due to actions falling within the scope of the legislation. In other cases, reliant on the evidence put forward by a claimant, a more general target would apply for resolving the case once relevant evidence has been received.

A third option would be to reject this recommendation completely. Openly declaring that specific areas should be considered as riot zones, regardless of the definition, could potentially encourage fraudulent applications. Similarly, there is a potential issue around inconsistency of approach by different PCCs. If this recommendation is not adopted the

situation will continue as currently, with claims handlers deciding on a case-by-case basis, taking into account operational input from police and other relevant evidence.

The Government would like to hear from stakeholders and the public on this issue:

***Question 2: Which of the following approaches and targets do you think should apply to PCCs for determining which areas qualify as riot areas?***

- a) *PCCs to consider within their force area which areas do and do not qualify as riot zones within the meaning of whichever definition is applied within 7 days*
- b) *PCC to determine 'core riot zones' only within seven days. In cases outside of 'core riot zones' a target for resolving the claim will apply from when the required evidence is received from a claimant.*
- c) *Keep the existing process whereby a claims handler decides on a case-by-case basis whether a case meets the definition of a riot based on evidence from police operational reports and from claimants.*
- d) *None of the above*
- e) *Other*

*Please explain your answer.*

### 3. Entitlements under a new Act

#### 3.1 Vehicle damage

The Government accepts the recommendation of the independent reviewer that damage to vehicles of any type should be included under the Act. However, this should be restricted. Individuals without proper insurance on their vehicle or who are not keeping their vehicle in accordance with Statutory Off-Road Notification (SORN) regulations are breaking the law and will not be able to benefit from compensation under a reformed Act.

In order to receive such compensation a claimant will need to prove that:

- a. they are the keeper of the vehicle; and
- b. they had, as a minimum, third party insurance or had properly made a SORN to the Driver and Vehicle Licensing Authority (and that the vehicle was properly being kept as such at the time of the riot).

We invite views on how best to administer this new entitlement. One option would be to require all vehicles to be assessed for repair costs through approved repairers. Where the cost of repairing does not exceed the depreciated value of a vehicle, then payment would be made directly from the decision-making authority to the repairers. Such an approach would reduce the scope for fraud.

If a vehicle was beyond economical repair then the depreciative value would be paid, which is in line with most motor vehicle insurance policies.

**Question 3: What arrangements and safeguards against fraud do you think should be made for claims for motor vehicle damage?**

The Government is not minded to enable insurers to reclaim costs they have paid out to policy holders in respect of motor vehicle damage. The Government would be concerned about incurring a significant additional liability. Given that current motor vehicle policies do not take account of the existence of the Riot (Damages) Act, this decision should not result in an increase to premiums.

#### 3.2 Payments made by charities and Government

Concerns arose in the media after the August 2011 riots that payments made by charitable bodies would be deducted from riot compensation settlements. Although no-one actually received a reduced riot compensation settlement after receiving a

charitable payment we agree with the independent reviewer that the law should be made clear in this regard.

The Government considers it important to take account of payments made from the public purse under schemes instigated by Government Departments or Local Authorities. In our view, the principle should be that claimants do not receive public funding twice for the same purpose. If, for example, a claimant has received money to cover material damage from a local authority fund then a deduction should be made from the compensation paid under the Act. This would be sent to the previous donating authority directly.

However where a payment has been provided for a purpose not covered by the Act then deductions should not be made, for example money given to help businesses restart trading as soon as possible and payments given to help provide alternative accommodation.

### **3.3 Replacement value**

In deciding claims made under the Riot (Damages) Act, payments are generally made on an indemnity basis. This differs from the approach of insurers where items are largely replaced as new-for-old. The independent reviewer highlighted the difficulties this caused, for example with victims of the August 2011 riots in trying to purchase used dry cleaning machines based on an indemnity settlement. In addition, considerable administrative time was spent, by PCCs and loss adjusters on their behalf, in calculating adjustments when reimbursing claims made by insurers under the Act.

However the Government is aware that the insurance industry does not always pay on a new-for-old basis, in particular in relation to perishables or excess clothing stock. If the Government were to implement this change then it would want to ensure that the replacement to the Riot (Damages) Act does not compensate claimants to a greater extent than individuals who have paid insurance premiums (thereby incentivising under insurance).

The Government is also mindful of the potential increase in liability, although this needs to be balanced against the risk of riots occurring again on a similar scale to August 2011. We invite stakeholders and members of the public to comment on this issue.

***Question 4: To what extent do you agree or disagree that riot victims should be compensated on a new-for-old instead of an indemnity (old-for-old) basis?***

*a) Strongly agree*

*b) Tend to agree*

*c) Neither agree or disagree*

d) *Tend to disagree*

e) *Strongly disagree*

f) *Don't know*

*Please explain your answer:*

### **3.4 Consequential loss**

The issue of consequential loss divides opinion. The insurance industry is of the view that not providing compensation for consequential losses (such as business interruption) under reformed legislation will mean that uninsured and under-insured businesses will suffer from loss of trade through no fault of their own. They are concerned that this could have a hugely detrimental effect on the survival of businesses, and the communities they serve, as they believe that the loss of profits following the loss is what causes businesses to fail rather than the physical losses.

The independent reviewer considered this issue in detail. After considering stakeholders views he concluded that covering consequential loss would be a step too far in a state-funded compensation scheme. The Government agrees with this. Our view is that the Riot (Damages) Act is a safety net and is not designed to provide cover equivalent to insurance policies, which individuals pay premiums for.

Further, it is right to consider the impact on the taxpayer. Covering consequential losses means a significantly greater impact on the public purse and we do not believe there is sufficient justification to impose such higher liabilities on the taxpayer.

### **3.5 Personal injury**

The Government agrees with the view of the independent reviewer in that personal injury should not be covered in a new Act. An existing mechanism for compensating victims of personal injury is provided through the Criminal Injuries Compensating Authority.

### **3.6 Capping payments**

The current Riot (Damages) Act enables insurance companies to reclaim the costs paid out to their policy holders. At the time of publication of this document approximately £60m compensation has paid out in respect of the August 2011 riots. Of this, around

90% has been paid to insurance companies. The final reimbursement total could exceed £100m. The independent review questioned whether this arrangement is justifiable, given that the insurance companies had already received the benefit of people's premiums when taking on the liability to pay out to policy holders.

After considerable consultation with insurers and other stakeholders, the independent reviewer recommended a cap be introduced on the amounts that insurers can reclaim and that this cap be based on the annual turnover of the business insured.

The independent reviewer also suggested applying a simple monetary annual turnover threshold of £2m (slightly above the 2m euros that the European Union uses to define a 'micro business'). This would mean that insurance companies would only be able to make a claim for reimbursement from PCCs by proving that the business they are insuring had an annual turnover of less than £2m per year.

The Association of British Insurers has expressed concern that a cap of £2m based on annual business turnover could act as a disincentive for larger companies to locate in some areas. The Government finds it questionable that such a factor would be a consideration in their decision to locate or remain in a specific area but would be interested in hearing further views, in particular from large companies and insurers, and any evidence to support this viewpoint.

The Government agrees with the independent reviewer that the aim of a cap should be to protect small businesses and, as such, is minded to adopt this recommendation but we would welcome views on the method of applying a cap and on the threshold to be set.

***Question 5: To what extent do you agree or disagree that a cap should be applied to the amount that insurance companies can reclaim under the Riot (Damages) Act?***

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer and provide evidence where possible*

**Question 6: To what extent do you agree or disagree that a cap should be based on business turnover?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer and provide evidence where possible*

**Question 6a: If you believe a different method should be used, please describe it below:**

**Question 7: To what extent do you agree or disagree that £2m is an appropriate figure for a business turnover cap?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer.*

In addition, the independent reviewer recommended that the £2m annual business turnover cap ought to be applied to:

- uninsured businesses who make a claim under the Riot (Damages) Act or those who self-insure (recommendation 10 of the Independent Review);
- people whose business is the ownership and renting of commercial and residential property (recommendation 9); and
- excesses, which are not covered by insurance.

The Government thinks it is not unreasonable to expect businesses with a £2m turnover to have the financial means to insure. Similarly those whose business is owning and renting commercial and/or residential property should be subject to the same cap.

The riots of 2011 saw a number of large companies provided with recompense under the Riot (Damages) Act for large uninsured excesses. The Government is of the view that the Act should be designed to compensate the most vulnerable and in this regard, the focus should be on protecting individuals and small businesses rather than large companies.

The Government proposes to adopt the independent reviewer's recommendations on capping but would be interested in hearing views on this.

***Question 8 – To what extent do you agree or disagree that a (£2m) cap should be applied to uninsured businesses who make claims under the Act?***

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer*



**Question 9 – What key issues might result from applying the annual business turnover cap to landlords and agents of rented and leased properties?**

**Question 9a – To what extent do you agree or disagree that £2 million is an appropriate figure for a business turnover cap to be applied to landlords and agents of rented and leased properties?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer*

### **3.7 Excess**

A point not raised in the independent review but one which we would like to invite views from stakeholders on is whether to charge an excess on riot compensation claims. Most insurance claims contain a mandatory excess and introducing a small excess would lessen the burden on the public purse. However the Government would appreciate input from stakeholders and members of the public on any issues that might result from introducing this approach

**Question 10 – To what extent do you agree or disagree that claims made under the Act should attract an excess?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer*

### **3.8 Prisons, detention centres and other secure facilities**

The police have primary responsibility for maintaining law and order. However in prisons, young offender institutions, immigration detention centres and other secure facilities the responsibility for maintaining order primarily rests with either a publicly employed or contracted workforce. This raises the question as to whether it is fair to continue to hold the police liable if a riot occurs in one of these facilities.

**Question 11 – Should the police be held liable under the Riot (Damages) Act for riots that occur in prisons, young offender institutions, immigration detention centres or other secure facilities?**

- a) *Yes*
- b) *No*
- c) *Don't know*

*Please explain your answer*

## 4. The claims process

This section looks at the process of making a claim and invites comments on proposed changes to the current system.

### 4.1 Deadlines for making a claim

In the immediate aftermath of August 2011 the Government amended regulations to the Act to ensure that people were given 42 days in which to submit a claim. A new prescribed form (drafted with the assistance of insurance lawyers) was also introduced.

Even though the time for submitting details of a claim was lengthened, claimants took far longer to submit the required evidence and PCCs and the Mayor's Office for Policing and Crime were not prescriptive over the deadline. In many cases, the reasons for the delay were completely understandable. For example many people could not access their properties for up to a week because of the police declaring the areas as crime scenes. In the case of small businesses many business owners struggled to provide the necessary evidence at a time when their focus was, rightly, on getting their business back up and running.

The Government is proposing to make the application process more flexible. There are two options it wishes to seek views on:

- (a) A two-tier process – this would require claimants to complete a very simple form within 42 days, providing their name, address, brief description of losses claimed and an estimate of value. Upon receipt of this, the handling authority would issue a second form seeking details of the claims, which would normally be completed within 90 days
- (b) A single-tier 90 day process – this simply changes the current 42 day deadline to 90 days and requires claimants to submit all details within 90 days.

The Government favours option (a) above. This option removes the pressure on claimants to provide extensive detail so soon at a time when they are coping with the shock of a loss. At the same time, from a financial planning perspective, it would provide the Government with an understanding of the overall quantum of claims within six weeks rather than the three months in option (b).

#### **Question 12: Which option on the deadline for submitting claims is more appropriate?**

- a) *The two-tier process – 42 days to submit the initial form followed normally by 90 days to provide full details from when the claim is lodged; or*
- b) *A 90 day application period to submit all details*
- c) *Don't know*

d) *Other*

*Please explain your answer*

#### **4.2 Repudiated claims**

A further issue identified in the handling of riot compensation claims was that some claimants did not initially seek compensation under the Act because they had insurance. However, these claimants then found subsequently (in many cases after a number of months) that their insurance claim had been rejected on the basis that they were underinsured or material facts were not disclosed.

Virtually all of these claims were made in the London area and the Metropolitan Police adopted a flexible attitude in accepting late claims. The Government intends to formalise this flexibility by introducing a further period where people can apply for compensation, which is triggered by means of an official decision from an insurer.

**Question 13- To what extent do you agree or disagree that it would be appropriate to introduce the ability to make an application later for those whose insurance claims are repudiated?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please provide reasons for your answer and provide evidence where possible*

### 4.3. Alternative methods for submitting claims

Subject to further study over practicality, the Government proposes to allow claimants to submit claims by phone or by e-mail. The ability to submit by phone is of particular importance. It would increase efficiency in handling claims and mirrors the practice of insurance companies who receive the majority of applications by phone.

**Question 14 - to what extent do you agree or disagree that introducing the ability to submit claims by phone or e-mail would simplify the process of making an application?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please provide reasons for your answer and provide evidence where possible*

### 4.4. Interim payments

A specific issue that caused difficulty for PCCs was that the Act did not make clear whether interim payments could be made. Payments under the Act also had to be subrogated i.e. insurers had to first provide evidence that they have paid their claimant before receiving reimbursement from the PCC. This resulted in delays to interim payments being made.

**Question 15 - To what extent do you agree or disagree that interim payments would assist in processing claims and speeding up decisions?**

- a) *Strongly agree*
- b) *Tend to agree*

- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please provide reasons for your answer*

#### **4.5. Handling of localised riots**

The independent reviewer proposed that where a riot occurs and is specific to one police force area, then the relevant Police and Crime Commissioner (or Deputy Mayor for London) should handle the claims.

It is right to recognise that knowledge level of handling riot compensation claims will vary between forces. It is possible that a future riot may occur in a force area that has no experience of handling such claims or that the passage of time may reduce the amount of corporate knowledge in an office of a PCC that has dealt with claims in the past.

In order to assist PCCs, the Government intends to adopt the independent reviewer's recommendation to draft a manual providing guidance on dealing with claims. However we intend to go further by preparing two manuals, one for a Riot Claims Bureau (see 4.6 below) and another one tailored specifically for PCCs. We envisage this will include guidance on deciding riot compensation claims and also on how to set up systems and processes quickly.

**Question 16: What else might be useful to support PCCs in handling localised riot claims?**

#### 4.6. The Riot Claims Bureau

A major recommendation from the independent review was to establish a Riot Claims Bureau made up of loss adjusters to handle claims should there be significant rioting in future.

The Government is minded to accept this recommendation although careful consideration will need to be given as to when it would be appropriate to transfer claims from a model led by PCCs to a Riot Claims Bureau. There would also be a number of detailed issues around structure and governance that would require careful consideration. We are working with PCCs, insurers and loss adjusters to develop a new model for handling riot claims within a Bureau and to produce detailed guidance. The Government also envisages setting targets for the Bureau with a focus on resolving smaller claims more quickly. The Government is interested in the views of stakeholders and the public on issues surrounding a Riot Claims Bureau:

**Question 17: What issues can you perceive in the setting up and running of a Riot Claims Bureau?**

**Question 18: Which of the following targets do you think a Riots Claims Bureau should be given for resolving small value claims (under £10,000)?**

- a) *5 – 10 working days*
- b) *10 – 20 working days*
- c) *1 month*
- d) *Other (please specify below)*
- e) *Don't know*

#### 4.7. Immediate support for riot victims

The final point to cover in this consultation is the proposal from the independent reviewer to provide a new advice and support service for riot victims. The Government is aware that there is provision in local authority teams to provide support to persons affected by unforeseen events. However, rather than create anything new our intention would be to better equip local authority emergency teams to provide advice on making compensation claims to victims in the immediate aftermath of a riot.

The Government is interested in hearing views from stakeholders as to how this would best work. One suggestion would be to provide awareness training on the relevant legislation for a core group of local authority staff across England and Wales. This could be supplemented by a tool kit provided to front line staff.

**Question 19: How could the Government better equip local authority frontline staff to advise on riot compensation payments in the aftermath of civil disturbances? (You may choose more than one option)**

*a) Training for frontline local authority staff*

*b) A toolkit for use by local authority staff*

*c) Both a. And b. Above*

*d) None of the above.*

*e) Other (please specify in the box below)*

*Please provide reasons for your answer*



## 5. About you

The final question asks for some information about you. The purpose of this question is to provide some context on your consultation responses and to enable us to assess the impact of the proposals on different types of organisation, in particular in relation to costs and benefits and the effect on smaller organisations.

**Question 20a: Which of the following best describes you or the organisation or sector that you represent?**

- Insurance provider
- Insurance underwriter
- Insurance broker
- Loss adjuster
- Local Authority
- Police
- Police and Crime Commissioner
- Charity/Community organisation
- Business
- Member of the public

**Question 20b: If you represent a business or group, please state the size of your organisation, by approximate number of employees or members:**

- 1
- 2 – 9
- 10- 49
- 50 – 249
- 250 +

## 6. Annexes

### 6.1 List of questions

**Question 1: What definition of 'riot' do you think should be used in future?**

- a) *Current approach – i.e. the existing Riot (Damages) Act definition supplemented by the definition of a riot as in the Public Order Act*
- b) *Solely use the definition in the Public Order Act*
- c) *Neither of the above*
- d) *Other.*

**Question 2: Which of the following approaches and targets do you think should apply to PCCs for determining which areas qualify as riot areas?**

- a) *PCCs to consider within their force area which areas do and do not qualify as riot zones within the meaning of whichever definition is applied within 7 days*
- b) *PCC to determine 'core riot zones' only within seven days. In cases outside of 'core riot zones' a target for resolving the claim will apply from when the required evidence is received from a claimant.*
- c) *Keep the existing process whereby a claims handler decides on a case-by-case basis whether a case meets the definition of a riot based on evidence from police operational reports and from claimants.*
- d) *None of the above*
- e) *Other*

*Please explain your answer.*

**Question 3: What arrangements and safeguards against fraud do you think should be made for claims for motor vehicle damage?**

**Question 4: To what extent do you agree or disagree that riot victims should be compensated on a new-for-old instead of an indemnity (old-for-old) basis?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer:*

**Question 5: To what extent do you agree or disagree that a cap should be applied to the amount that insurance companies can reclaim under the Riot (Damages) Act?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer and provide evidence where possible*

**Question 6: To what extent do you agree or disagree that a cap should be based on business turnover?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer and provide evidence where possible*

**Question 6a: If you believe a different method should be used, please describe it below:**

**Question 7: To what extent do you agree or disagree that £2m is an appropriate figure for a business turnover cap?**

- a) *Strongly agree*
- b) *Tend to agree*

- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer.*

**Question 8 – To what extent do you agree or disagree that a (£2m) cap should be applied to uninsured businesses who make claims under the Act?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer*

**Question 9 – What key issues might result from applying the annual business turnover cap to landlords and agents of rented and leased properties?**

**Question 9a** – To what extent do you agree or disagree that £2 million is an appropriate figure for a business turnover cap to be applied to landlords and agents of rented and leased properties?

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer*

**Question 10** – To what extent do you agree or disagree that claims made under the Act should attract an excess?

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*
- d) *Tend to disagree*
- e) *Strongly disagree*
- f) *Don't know*

*Please explain your answer*

**Question 11 – Should the police be held liable under the Riot (Damages) Act for riots that occur in prisons, young offender institutions, immigration detention centres or other secure facilities?**

- a) Yes
- b) No
- c) Don't know

*Please explain your answer*

**Question 12: Which option on the deadline for submitting claims is more appropriate?**

- a) *The two-tier process – 42 days to submit the initial form followed normally by 90 days to provide full details from when the claim is lodged; or*
- b) *A 90 day application period to submit all details*
- c) *Don't know*
- d) *Other*

*Please explain your answer*

**Question 13- To what extent do you agree or disagree that it would be appropriate to introduce the ability to make an application later for those whose insurance claims are repudiated?**

- a) *Strongly agree*
- b) *Tend to agree*
- c) *Neither agree or disagree*

d) *Tend to disagree*

e) *Strongly disagree*

f) *Don't know*

*Please provide reasons for your answer and provide evidence where possible*

**Question 14 - to what extent do you agree or disagree that introducing the ability to submit claims by phone or e-mail would simplify the process of making an application?**

a) *Strongly agree*

b) *Tend to agree*

c) *Neither agree or disagree*

d) *Tend to disagree*

e) *Strongly disagree*

f) *Don't know*

*Please provide reasons for your answer and provide evidence where possible*

**Question 15 - To what extent do you agree or disagree that interim payments would assist in processing claims and speeding up decisions?**

a) *Strongly agree*

b) *Tend to agree*

c) *Neither agree or disagree*



d) *Tend to disagree*

e) *Strongly disagree*

f) *Don't know*

*Please provide reasons for your answer*

**Question 16: What else might be useful to support PCCs in handling localised riot claims?**

**Question 17: What issues can you perceive in the setting up and running of a Riot Claims Bureau?**

**Question 18: Which of the following targets do you think a Riots Claims Bureau should be given for resolving small value claims (under £10,000)?**

a) *5 – 10 working days*

b) *10 – 20 working days*

c) *1 month*

d) *Other (please specify below)*

e) *Don't know*

**Question 19: How could the Government better equip local authority frontline staff to advise on riot compensation payments in the aftermath of civil disturbances? (You may choose more than one option)**

*a) Training for frontline local authority staff*

*b) A toolkit for use by local authority staff*

*c) Both a. And b. Above*

*d) None of the above.*

*e) Other (please specify in the box below)*

*Please provide reasons for your answer*

## 6.2 Recommendations of the Independent Review

1. The Riot (Damages) Act rests on the principle that the police are responsible for maintaining law and order and should be held to account if law and order breaks down and a resulting riot causes damage to property. The Police and Crime Commissioner (Deputy Mayor in London) is liable to pay damages to the owner of the property on a strict liability basis. Circumstances have changed since the Act was passed in 1886; in particular most business owners and residents are now insured. But the great majority of the people I met in the course of my review, including many in the police service and many of those responsible for the police believe that the principle of police accountability is still valid today and that this central provision of the Act should be retained, with the Government providing the funds if rioting breaks out in more than one police authority area. I agree with them.

**(1) I recommend that the principle of police accountability for riot damage should be retained in new legislation to replace the existing Act.**

2. The Riot (Damages) Act also provides that insurers who have made payments to their customers for damage caused in a riot should be compensated for those payments. This is a more controversial provision given that insurers charge premiums to their customers in order to finance their payments to them, and are in a sense “paid twice” if they receive compensation under the Act. Insurers say that the existence of the Act is taken into account in their calculations of premiums and that premiums would rise, or insurance might be withdrawn, from businesses in potential riot areas if the protection they receive from the Act were withdrawn. It is possible that new insurers would move in to replace those who withdraw in these circumstances. But there is a significant risk that it would become much harder for small businesses in potential riot areas to secure affordable insurance and that the economic viability of those areas would be weakened.

**(2) I recommend that insurers should continue to receive compensation under new legislation but that their compensation should be capped.**

3. The administration of the Riot (Damages) Act following the 2011 riots was criticised on the grounds that payments took much too long to be made, that too little was done to help affected small businesses, that claimants were treated insensitively and that the rules were applied too harshly in decisions about payments. On the other hand, it is fair to recognise that central and local Government and the private sector responded quickly and helped many of the victims of the riots to recover and that the staff of those bodies did their best to help. But payments were too long delayed; some of those most affected did not receive enough help and the compensation was inadequate to meet the losses of some victims.

The main reasons for these failings were: a complete lack of preparation for the level of claims under the Act, a lack of relevant experience in those handling them and the out-of-date wording of the Act itself. Those failings must be addressed against the possibility that riots might again break out on a significant scale.

**(3) I recommend that preparations for the possibility that compensation will be payable under major riots in future are taken forward as soon as possible and that:**

**(4) a riot claims bureau is developed by agreement between the Home Office and the insurance industry, to be staffed by experts in claims handling and loss adjusting drawn from several companies, to be ready to start work immediately after a riot, with delegated power to decide claims;**

**(5) a manual is prepared as soon as practicable to provide guidance on the type of claims that are likely to follow a riot, dealing with claimants unused to making claims and other issues;**

**(6) local authorities should be asked to include within their emergency plans planning for a riot-recovery service to provide coordinated advice and support for the range of problems that may follow a riot targeted on those most in need of such support and available for as long as it is needed; and**

**(7) the Government should commit itself to meet the costs of these operations, including the local authority costs in the aftermath of major riots.**

4. The Riot (Damages) Act is now 127 years old. Its wording made the administration of the compensation it provides for unnecessarily difficult following the 2011 riots; in some respects more expensive than it should be, in other respects inadequate for the needs of the victims of the riots. If my first two recommendations are accepted, new legislation should be introduced as soon as Parliamentary time allows. My next three recommendations relate to the cap which I recommend should be applied to compensation. New legislation should:

**(8) cap compensation payable to insurers in future by reference to the turnover of the business insured, so that compensation is payable only in respect of payments made to small businesses;**

**(9) apply the cap equally in relation to owners of commercial property and residential property. It should not be applicable for owner-occupiers, leaseholders or tenants of residential housing; and**

**(10) apply the cap to compensation payable directly to victims of riots, that is to those who are uninsured, or to businesses which self-insure, and to excesses which are not covered by insurance.**

5. Other changes should be made to improve the operation of the Act and bring it up-to-date. New legislation should:

**(11) modernise the language of the Riot (Damages) Act**

**(12) include cars and other vehicles within the scope of compensation;**

**(13) provide for interim payments to be made where appropriate and clarify powers to differentiate the handling of small and large claims as necessary;**

**(14) provide for the Secretary of State to delegate responsibility for the administration of payments under the Act and decisions about those**

**payments to a body established for the purpose, a Riot Claims Bureau or something similar, subject to audit arrangements to be prescribed;**

**(15) allow flexibility for the delegated body to ignore payments made to victims of riots by charities or other non-public sector bodies at the request of the charity or other body concerned; and**

**(16) provide for compensation to be paid in future on the basis of the replacement value of the property damaged, not indemnity (except in the case of vehicles).**

6. I have looked at the case for including personal injury within the compensation arrangements of new legislation. Since it is provided for through the Criminal Injuries Compensation Authority, there seems no need to provide specifically for such compensation in the event of a riot. I have also concluded that consequential loss (business interruption in the language of the insurance industry) should not be included. Businesses which might sustain losses of this kind that would be larger than the level of support provided by local authorities and the charitable High Street Fund after the 2011 riots should take out insurance and should not look to the state for compensation for consequential loss.

**(17) I recommend that personal injury and consequential loss should not be covered by new legislation.**

7. It would be possible to retain the principle of police accountability underlying the Riot (Damages) Act but replace the statutory approach which I have outlined with a discretionary scheme provided for in enabling legislation. A discretionary scheme would be much more flexible and able to deal with changes in society, technology and in policy on the issues discussed above, without requiring new legislation, or running the risk that the next Act would be left in place for 127 years. Its very flexibility would, however, deny the insurance industry the degree of certainty they say they need to calculate their potential liability, and make them excessively cautious about the possibility of riots. It would also undermine the degree of preparedness which is essential in planning for the possibility of future riots, since it would leave it open to the Government of the day to change the rules immediately after a riot.

**(18) I recommend that the option of a discretionary scheme is not pursued.**

8. One other possibility has been suggested as an alternative approach to compensation for riot damage on the model of the Pool Re scheme for insurance against terrorist attacks, which provides for cooperative support for individual insurers and, if necessary, Government support. The scheme was developed as a response to market failure in the face of potentially enormous costs as a result of terrorism. There has been no significant market failure in riot insurance and the costs are not such that the industry would see any value in a pooling arrangement.

**(19) I recommend that the option of a Pool Re scheme is not pursued.**

9. The definition of a riot for the purposes of the Riot (Damages) Act was itself the subject of controversy following the 2011 riots, because the wording of the Act is archaic, because numerical criterion for a riot laid down in the Public Order Act 1986 was considered unhelpful and because it took a long time to identify the area affected

by the riots in London. The Metropolitan Police were praised for the common-sense approach they took to the definition once the areas had been identified but they, and others, consider that a better definition would be highly desirable. It is not part of my role to offer a new definition, but I recommend that new legislation should take a new approach:

**(20) to give explicit responsibility for decisions on whether a riot had taken place to the Police and Crime Commissioner (the Deputy Mayor in London) on the advice of the Chief Constable (or Commissioner of the Metropolitan Police), the chief executive of the local authority area affected and a representative of the local community; to require them to have regard to the geography and scale of the disturbances; to use the Public Order Act concept of people who are present together and use or threaten unlawful violence for a common purpose; and to require such decisions to be taken within seven days of the disturbance taking place.**

### 6.3 Text of the Riot (Damages) Act 1886

# Riot (Damages) Act 1886

1886 CHAPTER 38 49 and 50 Vict

An Act to provide Compensation for Losses by Riots.

[25th June 1886]

#### Annotations:

##### Modifications etc. (not altering text)

- C1 Preamble omitted under authority of Statute Law Revision Act 1898 (c. 22)
- C2 Act amended by Public Order Act 1986 (c. 64, SIF 39:2), s. 10(1)

#### 1 Short title.

This Act may be cited for all purposes as the Riot (Damages) Act 1886.

#### 2 Compensation to persons for damage by riot.

(1) Where a house, shop, or building in [<sup>F1</sup>a police area] has been injured or destroyed, or the property therein has been injured, stolen, or destroyed, by any persons riotously and tumultuously assembled together, such compensation as hereinafter mentioned shall be paid out of [<sup>F2</sup>the police fund] of [<sup>F1</sup>the area] to any person who has sustained loss by such injury, stealing, or destruction; but in fixing the amount of such compensation regard shall be had to the conduct of the said person, whether as respects the precautions taken by him or as respects his being a party or accessory to such riotous or tumultuous assembly, or as regards any provocation offered to the persons assembled or otherwise.

(2) Where any person having sustained such loss as aforesaid has received, by way of insurance or otherwise, any sum to recoup him, in whole or in part, for such loss, the compensation otherwise payable to him under this Act shall, if exceeding such sum, be reduced by the amount thereof, and in any other case shall not be paid to him, and the payer of such sum shall be entitled to compensation under this Act in respect of the sum so paid in like manner as if he had sustained the said loss, and any policy of insurance given by such payer shall continue in force as if he had made no such payment, and where such person was recouped as aforesaid otherwise than by payment of a sum,

this enactment shall apply as if the value of such recoupment were a sum paid.

#### Annotations:

##### Amendments (Textual)

- F1 Words in s. 2(1) substituted (22.8.1996) by 1996 c. 16, ss. 103(1), 104(1), **Sch. 7 Pt. II para. 9**
- F2 Words substituted by Police Act 1964 (c. 48), **Sch. 9**

#### 3 Mode of awarding compensation.

(1) Claims for compensation under this Act shall be made to the [<sup>F3</sup>compensation authority] of the [<sup>F4</sup>police area] in which the injury, stealing, or destruction took place, and such [<sup>F3</sup>compensation authority] shall inquire into the truth thereof, and shall, if satisfied, fix such compensation as appears to them just.

(2) A Secretary of State may from time to time make, and when made, revoke and vary regulations respecting the time, manner, and conditions within, in, and under

which claims for compensation under this Act are to be made, and all claims not made in accordance with such regulations may be excluded. Such regulations may also provide for the particulars to be stated in any claim, and for the verification of any claim, and of any facts incidental thereto, by statutory declarations, production of books, vouchers, and documents, entry of premises, and otherwise, and may also provide for any matter which under this Act can be prescribed, and for the [F3 compensation authority] obtaining information and assistance for determining the said claims.

(3) The said regulations shall be published in the London Gazette, and every [F3 compensation authority] shall cause the same to be published in their [F4 police area], and copies thereof to be at all times sold to any applicant at a price not exceeding [F5 2½p] for each copy.

**Annotations:**

**Amendments (Textual)**

- F3** Words substituted by Police Act 1964 (c. 48), **Sch. 9**
- F4** Words in s. 3(1)(3) substituted (22.8.1996) by 1996 c. 16, ss. 103(1), 104(1), **Sch. 7 Pt. II para. 10**
- F5** Words substituted by virtue of Decimal Currency Act 1969 (c. 19), **s. 10(1)**

**4 Right of action to person aggrieved.**

(1) Where a claim to compensation has been made in accordance with the regulations, and the claimant is aggrieved by the refusal or failure of the [F6 compensation authority] to fix compensation upon such claim, or by the amount of compensation fixed, he may bring an action against the [F6 compensation authority] to recover compensation in respect of all or any of the matters mentioned in such claim and to an amount not exceeding that mentioned therein, but if in such action he fails to recover any compensation or an amount exceeding that fixed by the [F6 compensation authority], he shall pay the costs of the police authority as between solicitor and client.

<sup>F7</sup>(2) .....

**Annotations:**

**Amendments (Textual)**

- F6** Words substituted by Police Act 1964 (c. 48), **Sch. 9**
- F7** S. 4(2) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. I Group 1**

**5 Payment of compensation and expenses, and raising of money.**

(1) Where any compensation under this Act has been fixed by or recovered in an action against the [F8 compensation authority], that authority shall, on the prescribed conditions having been complied with, pay in the prescribed manner the amount of such compensation out of [F8 the police fund, and shall also pay out of the said fund], all costs and expenses payable by them in or incidental to the execution of this Act; . . . <sup>F9</sup>

- (2) ..... **F10**
- (3) ..... **F11**
- (4) ..... **F12**

**Annotations:**



**Amendments (Textual)**

- F8** Words substituted by Police Act 1964 (c. 48), **Sch. 9**
- F9** Words repealed by Police Act 1964 (c. 48), **Sch. 10 Pt. I**
- F10** S. 5(2) repealed by Police Act 1964 (c. 48), **Sch. 10 Pt. I**
- F11** S. 5(3) repealed by Local Government Act 1972 (c. 70), **Sch. 30**
- F12** S. 5(4) repealed by Police Act 1964 (c. 48), **Sch. 10 Pt. I**

**6 Application of Act to wreck and machinery.**

This Act shall apply—

- (a) ..... <sup>F13</sup>
- (b) in the case of the injury or destruction, by persons riotously and tumultuously assembled together, of any machinery, whether fixed or movable, prepared for or employed in any manufacture, or agriculture, or any branch thereof, or of any erection or fixture about or belonging to such machinery, or of any steam engine or other engine for sinking, draining, or working any mine or quarry, or of any staith or erection used in conducting the business of any mine or quarry, or of any bridge, waggon-way, or trunk for conveying minerals or other product from any mine or quarry;  
in like manner as if such . . . <sup>F14</sup> injury or destruction were an injury, stealing, or destruction in respect of which compensation is payable under the foregoing provisions of this Act . . .

**Annotations:**

**Amendments (Textual)**

- F13** S. 6(a) repealed by Merchant Shipping Act 1894 (c. 60), **Sch. 22**
- F14** Words repealed by Merchant Shipping Act 1894 (c. 60), **Sch. 22**

**7 As to claimants in the case of churches, public institutions, &c.**

For the purposes of this Act—

- (a) where a church or chapel has been injured or destroyed, or any property therein has been injured, stolen, or destroyed, the churchwardens or chapelwardens, if any, or, if there are none, the persons having the management of such church or chapel, or chapel, or the persons in whom the legal estate in the same is vested; and
- (b) Where a school, hospital, public institution, or public building, has been injured or destroyed, or any property therein has been injured, stolen, or destroyed, the persons having the control of such school, hospital, institution, or building, or the persons in whom the legal estate in the same is vested;

shall be deemed to be the persons who have sustained loss from such injury, stealing, or destruction, and claims may be made by any one or more of such persons in relation both to the building and to the property therein, and payment to any such claimant shall discharge the liability of the [<sup>F15</sup>compensation authority] to pay compensation, but shall be without prejudice to the right of any person to recover the compensation from such payee.

**Annotations:**

**Amendments (Textual)**

- F15** Words substituted by Police Act 1964 (c. 48), **Sch. 9**

**8** ..... <sup>F16</sup>

**Annotations:**

**Amendments (Textual)**

**F16** S. 8 repealed by Police Act 1964 (c. 48), **Sch. 10 Pt. I**

**9 Definitions.**

In this Act, unless the context otherwise requires—

The expression “person” includes a body of persons, corporate or unincorporate:

The expression “<sup>F17</sup>police area”<sup>F18</sup> and the expression “police fund” have the same meaning as in <sup>F17</sup>the Police Act 1996] and the expression “compensation authority” means—

<sup>F19</sup>(a) .....

<sup>F20</sup>(b) .....

(c) in relation to [<sup>F17</sup>any <sup>F21</sup>. . . police area], the local policing body.]

The expression “house, shop, or building” includes any premises appurtenant to the same:

<sup>F22</sup> . . .

..... <sup>F23</sup>

**Annotations:**

**Amendments (Textual)**

**F17** Words in s. 9 substituted (22.8.1996) by 1996 c. 16, **ss. 103(1), 104(1)**, SCh. 7 Pt. II para. 11

**F18** Words substituted by Police Act 1964 (c. 48), **Sch. 9**

**F19** S. 9: para. (a) in definition of “compensation authority” repealed (1.4.1995) by 1994 c. 29, s. 93, **Sch. 9 Pt. I**; S.I. 1994/3262, art. 4(1), **Sch.**

**F20** S. 9: para. (b) in definition of "compensation authority" repealed (3.7.2000) by 1999 c. 29, s. 423, **Sch. 34 Pt. VII**; S.I. 2000/1648, art. 2, **Sch.**(with Sch. 12 para. 9(1))

**F21** S. 9: word in para. (c) in definition of "compensation authority" repealed (3.7.2000) by 1999 c. 29, s. 423, **Sch. 34 Pt. VII**; S.I. 2000/1648, art. 2, **Sch.**(with Sch. 12 para. 9(1)). The reference to “local policing body” was inserted by paragraph 61 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13).

**F22** Definition in s. 9 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. I** Group 1

**F23** Definition of “Secretary of State” repealed by Statute Law Revision Act 1898 (c. 22)

<sup>F24</sup>**10** .....

**Annotations:**

**Amendments (Textual)**

**F24** S. 10 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. I** Group 1

**11 Extent of Act.**

This Act shall not extend to Scotland or Ireland.

F25  
SCHEDULE 1

**Annotations:**

**Amendments (Textual)**

**F25** Sch. 1 repealed by Police Act 1964 (c. 48), **Sch. 10 Pt. I**

.....

F26  
SCHEDULE 2

**Annotations:**

**Amendments (Textual)**

**F26** Sch. 2 repealed by Statute Law Revision Act 1898 (c. 22)

.....