



Riot Compensation Scheme

Overview

Further to an email to PCCs from APCC Chief Executive Phil Golding on 9 August, and information which was shared with PCCs through the end of week bundle on 16 August; this briefing provides an update for PCCs and their offices regarding next steps to take regarding the Riot Compensation Scheme.

Background

Some PCCs have started to be contacted by insurance companies or members of the public about the riot compensation scheme. The APCC met the Home Office on 9 August and again on 21 August, alongside members of APACCE, PACCTs and the NPCC, to ascertain how best to manage the scheme at a local level and with the Home Office nationally.

We are also anticipating a decision from the Home Secretary regarding handling the claims, noting that the Home Secretary may decide to set up a central Claims Bureau; however in the first instance, PCCs are encouraged to publicise the scheme to raise awareness (noting that claimants have 43 days from the 'end of a riot' to make a claim) and to log and send an acknowledgement to claimants for any claims received.

The Riot Compensation Act

Under the Riot Compensation Act 2016 (<https://www.legislation.gov.uk/ukpga/2016/8/contents/enacted>) PCCs are liable for the costs of the claims at a local level, if the Home Secretary doesn't declare the riots as a national event.

Decisions about when or where a riot took place are taken on a case-by-case basis, and analysis from PACCTs and the NPCC suggests that likely areas are: Avon & Somerset, Cheshire, Cleveland, Devon & Cornwall, Dorset, Durham, Greater Manchester, Hampshire, Humberside, Lancashire, Leicestershire, Lincolnshire, Merseyside, MOPAC, North Wales, Northamptonshire, Northumbria, Nottinghamshire, South Yorkshire, Staffordshire, Thames Valley, West Midlands and West Yorkshire however no formal announcement needs to be made by a PCC or Chief before claims may be submitted.

Actions for OPCCs to take:

1. Communications

Set up a page on your website providing details of the Riot Compensation Scheme and how to make a claim. Northumbria OPCC have helpfully shared their webpage as a useful guide <https://northumbria-pcc.gov.uk/>

Key points which you might wish to add are:

“If you experienced property damage or loss as a result of the violent disorder in [area/s] on [date/s] you should report that crime to the police. If you have insurance, you should then contact your insurer to make a claim. You can make a claim direct to the PCC for losses not covered by insurance. Guidance and FAQs are online at [Riot compensation - GOV.UK \(www.gov.uk\)](http://www.gov.uk). This will explain how to make a claim and what sort of evidence you will need.”

PCCs might also want to consider issuing proactive communications about how to make a claim, for example, with local business groups or community groups.

You should also consider how to ensure that communications are reaching every community within the affected areas, noting that English may not be the first language of some of the people affected, and they may require support in making applications (for example, through local faith and community groups).

2. Process

2a. Does the claim meet the criteria of the Riot Compensation Act?

In the first instance it would be helpful for PCCs to seek the views of their Chief Constable to consider whether local incidents fit the definition of a riot.

The Home Office have also advised that PCCs can refer to the best practice guide at [riot-claims-handling-best-practice-guide.pdf \(cii.co.uk\)](http://cii.co.uk) for a step by step guide on how to manage claims. It will be for PCCs to determine whether a claim fits the criteria of the Riot Compensation Act (i.e. whether the incident fits the definition of a riot). There are some illustrative scenarios in that guide which may be helpful when making that judgement.

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For liaison with the Association of British Insurers (ABI), your key contact will be Laura Hughes Laura.Hughes@abi.org.uk who is an assistant director dealing with general insurance policy. They are seeking contact information for PCCs in affected force areas, and it's a good opportunity to have them remind their members that they should be the point of contact for policy holders and the insurer is the one who should be notifying the PCC of any insured claims under RCA. PCCs should be aware that there may be duplicated claims where someone has claimed both directly and through their insurance. PCCs will only need to work directly with victims where there are uninsured losses.

2b. Logging and Acknowledging the Claim

OPCCs are advised to log any claims, and to send an acknowledgement. While claimants are required under the Act to lodge a claim within 43 days of the end of the riot, there is no prescribed timescale for PCCs to respond (although reputationally PCCs may want to resolve claims as soon as possible).

We are working with members of APACCE to provide further information on OPCC processes, once established, which we will share within GR bulletins, and also add a page containing useful resources within the members' section of the APCC website.

2c. Weekly Coordination

PACCTs have offered to coordinate the number of claims coming into each PCC area on a weekly basis, and would be grateful for regular updates. Please contact Iain McCulloch at iain.mcculloch@sussex-pcc.gov.uk

3. Assessment

PCCs might want to explore whether the assessment element of any claims might be undertaken by their local force, however the NPCC have advised that capacity within forces to assess claims will vary across England and Wales. PCCs Emily Spurrell and Roger Hirst would like to test whether PCCs would be keen to jointly procure a central body to undertake decisions regarding loss adjustments and provide expertise in the payout assessment. This would also help to ensure that there is consistency in the way in which claims are awarded.

4. Funding

The APCC is awaiting a decision from the Home Secretary in terms of how the claims will be funded. There is a precedence whereby the government reimbursed forces in full after the 2011 riots, however the 2011 riots cost compensation were managed in accordance with the 1886 Act, which provided for compensation to be claimed only in relation to damage to a house, shop or building. The Riot Compensation Act 2016 (The Act) encompasses a wider class of property damage and loss in respect of which claims may be made, albeit claims under the new Act are each capped at £1 million.

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Next Steps

- The APCC will be convening a further meeting led by PCCs Emily Spurrell and Roger Hirst in early September.
- An item on the riots has been added to the Strategic Policing Partnership Board (SPPB) in September.

Annex A – Further Information

Insurance

The NPCC Finance Lead (Paul Sanford) was contacted to ascertain whether the riots might be covered by force insurance policies. Paul advised that 10 forces are members of the SEERPIC insurance consortium, which do NOT have riot liability cover and the cover that is held is considered unlikely to cover claims associated with the recent disorder. Paul believes that the absence of cover is likely to be the same in most forces.

ACO Peter Jasper, who leads the NPCC Working Group on insurance, explored that further and discussed some of the issues raised below with the SEERPIC 10 Force broker (Marsh Ltd) who act as brokers for around half of all UK forces. They only have 1 police client with specific riot cover so there are likely to be very few forces with specific cover. In addition, forces' Public Liability cover normally contains specific exclusions for any third-party cover for damage from riots.

Reserves

PACCTS have undertaken a quick desktop exercise to map riot/disorder to PCC area with the available 'general' reserves (rainy day and risk mitigation funds) available to them as of 31 March 2024 to help articulate the financial implications to the Home Office.

Advice issued to all PCCs on 9 August:

- No police force needs to declare a riot before claims can be submitted.
- You familiarise yourself with the guidance ([riot compensation guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/guidance/riot-compensation-guidance))

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- Respond to any queries by asking people to submit the form so that it is in the “system”. At this stage just acknowledge and log.
- Ask your Force to ensure they advise victims to log any criminal damage to the police so that they have a crime number.
- Contact your victim support providers and ask questions to see what support they give victims of riot and disorder, and if they would be able to assist them in the event of a financial claim.
- Begin discussions with your Chief about when and where a riot may have taken place. It is worth trying to capture when the riot ended as the 43-day claim period begins on that date.

Home Office FAQs, along with public lines:

Please see below for our public lines and link to the Association of British Insurer’s (ABI’s FAQs which could be helpful for public queries.

- Victims of criminal damage or loss of property as the result of a riot may be eligible for compensation of up to £1m under the Riot Compensation Act.
- Individuals and businesses should report the crime to their local police force in the first instance, who will also provide contact details for the claims authority.
- Those with insurance should claim via their insurance company first.
- Further details on the process can be found online on [gov.uk](https://www.gov.uk):
 - [Riot compensation: quick guide for claimants \(accessible\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/riot-compensation-quick-guide-for-claimants-accessible)
 - [Riot compensation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/riot-compensation)

[Insurance FAQs for those affected by riots or civil unrest | ABI](#)

APCC Secretariat, August 2024

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