



We're here to help.

FAQs:  
Actions Against Police and  
Civil Liberties

[www.howellslp.com](http://www.howellslp.com)

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## What is meant by the term Actions Against Police and Civil Liberties?

Our Actions Against the Police and Civil Liberties team deal with the following types of cases:

- If you have a complaint against the police
- Judicial review cases
- Death in Custody inquest cases
- Actions against the police and other public authorities

## I should get in touch with the Actions Against Police team if...

...you have been subjected to any of the following:

- Miscarriages of justice
- Wrongful convictions
- Assault at the hands of the police
- False imprisonment or being held by the police longer than lawfully allowed
- Malicious prosecution
- Police negligence
- A breach of your human rights by the police
- Trespassing on your property by the police
- Trespassing that resulted in your property being damaged or seized and not returned

## What happens first?

We always focus on asking what you want at the outset. This is especially important in relation to police complaint cases where you are presented with options for how you want your police complaint to be dealt with.

We will then advise how best to pursue your case depending on the circumstances, i.e. complaint against the police, civil action, judicial review.

Clients who are eligible for legal help are normally advised to pursue a police complaint as this is normally required by the funding authority to have been done prior to pursuing a civil action for compensation.

## What happens next?

To pursue a complaint we take a full statement from the client, obtain custody records and submit to the complaints department. There is an appeal process to the Independent Police Complaints Commission at the conclusion of the police investigation which we also advise on.

A civil action involves obtaining any relevant medical records, drafting a letter of claim, reviewing evidence disclosed by the defendant, applying for public funding if appropriate and obtaining expert medical evidence if necessary.

## Will I have to go to court?

If the claim cannot be settled proceedings must be issued at court. The claim would then be handled by a timetable set by the court, with steps including exchange of evidence held by each party, exchange of expert evidence and witness statements. A claim may progress to a trial if settlement cannot be reached and if in our view the claim has sufficient prospects of success.

## What happens at the end of my case?

This will depend on what you would like to see happen, but often your case will be a claim for compensation or damages.

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## How long will my case take?

This will depend on whether it is a complaint or a civil action and whether the claim is settled out of court.

A complaint normally takes 6 to 9 months to complete.

A claim may progress to a trial if settlement cannot be reached.

## How much will it cost me?

Legal help is available for this type of work if a client is eligible (on a qualifying benefit or on a low income).

We also represent private paying clients for those who do not qualify for free legal help.

## Who will look after my case?

The expert team has a wealth of experience and has been awarded the top grading in an independent peer review of its work, one of only two firms in the country to achieve this and is rated in the top band UK-wide in Chambers 2011, the only firm outside London to have had this rating.

The Police Actions team is headed by Peter Mahy, one of the UK's best known solicitors.