



## 1. What Can I Make a Claim for?

---

### 1. What Can I Make a Claim for?

Most people want to make a claim or sue the police because they have been wrongly arrested, assaulted by the police or prosecuted for something they didn't do, however, there are also other reasons why you might want to sue the police. Here are some things you should know about these types of action:

#### **Wrongful Arrest**

Unlawful arrest and detention is called false imprisonment. The police must justify any arrest and detention, so if you think the police have acted outside their powers it is worthwhile getting further advice. False imprisonment can happen on the street, in your home, in a police vehicle and of course at the police station – in fact any place where the police control your freedom.

#### **Assault**

This is much wider than many people think. You are assaulted as soon as someone touches you without a lawful reason to do so, and when they put you in fear of unlawful violence. Of course, it includes being punched and kicked and being subjected to illegal body searches. If you are assaulted by the police it is important to see a doctor (at casualty or your GP) straight away and for the injuries to be noted. You should also take photos of any injuries, if possible.

#### **Prosecuted for something I didn't do**

This is called malicious prosecution. You have to prove that the police had no reasonable cause to prosecute you and that they had a "wrongful motive" in doing so. You have to win your criminal case, which means either (a) any charges were dropped before the case went to court, or, or (b) you were acquitted (found innocent) in court at your trial or on appeal.

#### **Other complaints**

You can also sue the police for breach of your right to protest or breach of other human right; negligence; trespass to land and goods; breach of your rights under the Data Protection Act; race, sex, disability or other discrimination; and a few other civil wrongs.

You will be unable to make a claim for some police misconduct, such as rudeness, so instead we suggest you make a [complaint](#).