

SUMMARY OVERVIEW - 4E's APPROACH and FIXED PENALTY NOTICES RELATING TO COVID-19 REGULATIONS



Wiltshire and Swindon
pcc

Period covering 28 September - 25 October 2020

In response to the global COVID-19 pandemic and lockdown, the Government introduced legislation on 24 July aimed at slowing the spread of the virus and protecting the public as lockdown eases and businesses begin to re-open. The legislation requires members of the public who do not hold an exemption card to wear face coverings in a number of different spaces including shops/supermarkets and public transport.

Further to this, legislation also requires members of the public to self-isolate for 14 days after returning to the UK from a number of countries on the COVID-19 'at risk' list.

On 14 September further legislation was put in place regarding the 'rule of six' and 24th September saw legislation extending the wearing of face coverings to hospitality areas and curfews placed on bars, restaurants and pubs to 10pm.

Failure to comply with this government legislation gives police the power to sanction a now increased fine of £200 with the serving of Fixed Penalty Notices (FPNs).

Throughout the easing of lockdown period, Wiltshire Police have continually adopted the 4E's approach to Engage, Explain, and Encourage compliance with COVID guidelines and we resort to Enforcement only as a last resort. We are delighted to report that this approach has been very successful, with very high levels of compliance from the public.

This updated summary of the use of FPNs in Wiltshire and Swindon covers the new regulations in order to ensure transparency and openness with our communities around any enforcement action that Wiltshire Police officers have taken. Since the last report, we now have the ability to report on COVID related interactions with the public and any warnings issued, as well as any FPNs. As this is a new reporting capability, we anticipate that our figures may increase in future reports.

During this timeframe, Wiltshire Police have created **385 COVID-19 logs**, which includes online reports relating to COVID-19. Out of these logs, Wiltshire Police received **28 calls for assistance** to help enforce the face covering legislation from businesses and concerned members of the public.

155 interactions have been recorded in this period. This is when our officers approach individuals to Engage, Explain and Encourage compliance with COVID guidelines. Of these interactions, 100 were regarding individuals not wearing a mask, 54 related to large groups and one regarded failure to isolate.

In addition, during the same period, Wiltshire Police officers have issued **105 COVID warnings**. A warning is issued when an individual does not comply with officer's instructions and guidance when engaging in the first 3Es. Thirteen of the warnings issued relate to businesses not complying with COVID-19 regulations.

Wiltshire Police have issued **four COVID-related FPNs** in this period. Two of these FPNs were relating to individuals failing to self-isolate after returning from abroad or being advised to do so by track and trace. The remaining two FPNs related to individuals gathering in a group of six or more.

Wiltshire Police have, so far, issued **one FPN** to an individual not wearing a face covering in public. Wiltshire Police have, in total, issued **two FPNs** to individuals who are required to self-isolate.

Wiltshire's Police and Crime Commissioner has approved a process to provide scrutiny and oversight of the legality and proportionality of FPNs. A Scrutiny Panel meets regularly to review and test all pro-forma templates issued in Wiltshire and Swindon with an option to rescind unlawful and/or disproportionate notices.

A second scrutiny panel has been put in place to specifically oversee disproportionality. The group is chaired at Superintendent level, and has representation from the OPCC, it reviews every FPN issued to members of the BAME community, it ensures a consistent approach and allows for both feedback to officers at the individual level but also has the authority to amend policy should any corporate issues be highlighted.

These reviews also ensure learning is captured at an organisational and individual level. As part of the scrutiny, disproportionality is considered and, if appropriate, local Inspectors will be tasked to engage with their local Independent Advisory Groups (IAGs).

The Scrutiny Panel reports into a Strategic Leaders meeting and is also reported into the Wiltshire Police strategic oversight governance meeting which is attended by the Office of Police and Crime Commissioner. The process as a whole is overseen by the Deputy PCC and Deputy Chief Constable.

We would like to thank the majority of the public within our county for their compliance with the Government measures, and the effort our communities are making in the fight against the spread of this virus. Coronavirus is still a threat - please remember 'Hands, Face, Space'. Stay alert and help control the virus