

Fixed penalty notices issued under COVID-19 emergency health regulations by police forces in England and Wales

Introduction

This release presents the latest data on the police use of COVID-19 enforcement notices issued under all emergency health protection regulations in force as at 14th February 2021¹ (including fines issued under local "lockdowns", that is local areas where restrictions have been temporarily tightened and includes revisions to previously published figures).

Data on FPNs issued in England and Wales is collated centrally by the ACRO Criminal Records Office and cover the 43 territorial forces, the British Transport Police (BTP) and Ministry of Defence Police.

The figures below relate to enforcement activity by police forces and these data should be seen in the context of wider police activity to engage with the public to explain and encourage compliance with the new regulations. As outlined in previous releases, the police have recorded hundreds of thousands of Covid-19 related incidents since the 27th March 2020. This will include incidents where officers have proactively offered advice to people, responded to reports from the members of the public about breaches of the regulation by others and offences where criminals have sought to take advantage of the pandemic to commit a crime.

<u>Headline figures for FPNs issued under the Health Protection (Coronavirus, Restrictions)</u> <u>Regulations, England and Wales</u>

In total, 68,952² notices have been recorded as having been issued in England (63,201) and Wales (5,751) between Friday 27th March 2020 and Monday 14th February 2021.

In England:

- 15,947 notices were issued under number one regulations;
- 571 under number two regulations;
- 272 for holding a gathering of more than 30 people;
- 1,105 in relation to breaches of local "lockdowns";
- 2,895 under the "Local COVID-19 alert levels";
- 7,006 under number four regulations (national restrictions) and
- 35,405 notices issued under the "All Tiers" regulations:
 - 19 notices for Tier 1 (Medium);
 - 1,009 notices for Tier 2 (High);
 - 3,469 notices for Tier 3 (Very High);
 - 3,391 notices for Tier 4 (Extremely High); and,
- 27,517 were issued from 6th January 2021, when national restrictions came into force.

In Wales:

¹ For a full list of all regulations please see: <u>https://www.legislation.gov.uk/coronavirus</u> and <u>https://gov.wales/coronavirus-legislation-and-guidance-law</u>

² Three notices are recorded as having been issued in England prior to March 27th

- 2,664 notices were issued under number one regulations;
- 175 notices were issued under number two regulations;
- 284 notices were issued under number three regulations;
- 608 notices were issued under number four regulations;
- 2,014 notices have been issued under number five regulations;
- 3 notices were issued under regulations relating to holding a gathering of more than 30 people; and,
- 3 notices were issued under the ITR.

Chart 1 shows previously published figures for earlier reporting periods together with the latest revisions as more FPNs have been processed. In earlier releases this was reported on a daily basis but, given the length of time these regulations have been in place, this is now summarised on a weekly basis. The following analysis and the chart below do not include fines issued under the face covering regulations, business regulations or ITR. Separate analysis is presented in the sections below for these FPN types.

There were steep rises in FPN issuance following the week of 18th-24th December 2020, coinciding with the introduction of Tier 4 as part of the "Local COVID-19 Alert Levels" regulations and continued to rise with the introduction of the new national restrictions on the 4th of January 2021 (when all areas of England were moved into Tier 4). This reflected more proactive policing of the regulations in the context of the danger to public health and represented a shift to move more quickly to enforcement where there were clear breaches of the law.

While the latest full week for England and Wales shows that there has been a decrease in the number of FPNs issued (4,752 FPNs issued between 5th to 11th February 2021), compared with 6,218 FPNs in the previous week, this figure is likely to be revised upwards as more fines are processed.

Enforcement levels during January and early February had returned to levels seen in the first period of restrictions in March and April 2020, with a peak of 3,294 FPNs issued between $10^{th} - 16^{th}$ April 2020 during the week of the Easter Bank holiday. After this initial high level of enforcement, there was a considerable reduction in enforcement activity as the restrictions were progressively eased, particularly in England. This low number of FPNs continued from June to early September, after which there was a gradual increase as restrictions were tightened. This was then followed by a dip in the number of FPNs issued between late November to mid-December 2020 as restrictions were relaxed after the end of the second national restrictions. The number of FPNs began to rise again following the tightening of national restrictions on the 6th January 2021.

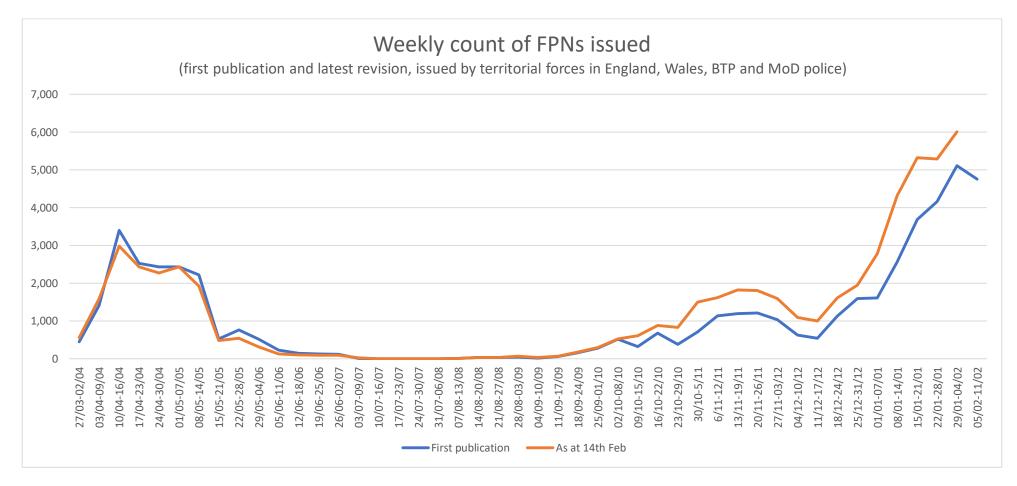
Of all enforcement notices issued in England and Wales:

- The vast majority (13,995) have been issued for "Contravene requirement as to restriction of movement during emergency period" (Table 1).
- The large majority (over 7 in 10) were issued to males (Table 2).
- Over 7 in 10 were issued to the under 35s; with 45% issued to 18-24 year olds, 17% to those aged 25-29 and 12% to those aged 30-34 (Table 3).

• Of those FPNs where the individual issued with the notice had a self-identified ethnicity³ recorded, 76% were issued to people who self-identified as White. 12% went to those who self-identified as Asians and 7% to those identifying as Black (Table 4).

³ 21% of FPNs issued did not have the self-defined ethnicity of the individual identified.

Chart 1: FPNs issued under COVID-19 regulations (excluding face coverings, businesses and ITR), between 27th March 2020 and 11th February 2021



Note: excludes 3. FPNs with incorrect date of issue.

Table 1: Reasons for which FPNs has been issued under emergency COVID-19 regulations, between 27th March 2020 and 14th February 2021 in England and Wales

Regulations	Jurisdiction	Reason for issue	England	Wales	Total
		Contravene requirement as to restriction of movement during emergency period	11,784	2,211	13,995
		Contravene requirement to not participate in a gathering in public of more than two people	4,179	280	4,459
	England and	Contravene a direction or fail to comply with instruction	2,337	405	2,742
	Wales	Contravene requirement from a relevant person	432	52	484
		Obstruct person carrying out a function under the regulations	285	12	297
No.1, No.2, local lockdowns		Contravene requirement to not participate in an indoor gathering of two or more people	33	21	54
		Contravene requirement to not participate in an outdoor gathering of more than six people	76	N/A	76
(England only); No.3 and No.4 (Wales only)		Contravene requirement to not participate in a gathering of more than thirty people – dwelling/houseboat	28	N/A	28
		Contravene requirement to not participate in a gathering of more than thirty people – vessel (other than houseboat)	-	N/A	-
		Contravene requirement to not participate in a gathering of more than thirty people – land (certain public outdoor spaces)	25	N/A	25
	England only	Contravene requirement to not participate in a gathering of more than thirty people – indoor amplified music	10	N/A	10
		Entry into and/or remaining in a restricted area	3	N/A	3
		Failure to restrict access to a restricted area	1	N/A	1
		Stay overnight other than at place of living / linked household, in England, without reasonable excuse	7	N/A	7

	Contravene requirement to not participate in a gathering of more than six people	470	N/A	470
	Contravene requirement to not participate in gathering of two or more persons in the protected area	45	N/A	45
	Contravene requirement to not participate in gathering of two or more persons outside the protected area	1	N/A	1
	Contravene requirement to not participate in a gathering of more than two people – dwelling / houseboat	848	N/A	848
	Contravene requirement to not participate in a gathering of more than thirty people	N/A	60	60
	Enter/Remain in a local health protection area in Wales without reasonable excuse	N/A	281	281
	Leave or remain away from place when living in local health protection area in Wales without reasonable excuse	N/A	544	544
	Contravene requirement to not participate in a gathering in public	N/A	219	219
	Contravene requirement to not participate in a gathering in private	N/A	846	846
Wales only	Contravene a requirement not to participate in a gathering outside of a private dwelling that consists of more than 4 people	N/A	46	46
	Contravene a requirement not to participate in a gathering in holiday or travel accommodation with people outside of their household	N/A	-	-
	Contravene a requirement not to participate in a gathering in a private dwelling with any other person apart from the household or extended household	N/A	500	500
	Contravene a requirement not to participate in a gathering in a private dwelling consisting of more than 15 people	N/A	156	156
	Contravene a requirement not to be involved in organising an indoor event of more than 15 people	N/A	7	7
	Contravene a requirement not to be involved in organising an outdoor event of more than 30 people	N/A	6	6

		Contravene restriction that no person living outside Wales may enter or remain in Wales without a reasonable excuse	N/A	88	88
		Contravene restriction that no person living in Wales may leave Wales without a reasonable excuse	N/A	3	3
		Contravene a requirement of a person required to isolate, may not to leave or be outside the place where they are living	N/A	27	27
		Contravene a requirement of a child required to isolate, may not to leave or be outside the place where they are living	N/A	4	4
		Contravene a requirement to provide details to contract tracer when requested to do so	N/A	-	-
		Contravene a requirement to not carry on restricted business or service at premises	N/A	9	9
		Contravene a requirement to not carry on restricted business or service at premises	N/A	-	-
		Contravene a requirement to not sell or supply alcohol between restricted times	N/A	-	-
		Contravene a requirement that an operator of public transport displays adequate signage	N/A	-	-
		Contravene the requirement to wear face covering on public transport	N/A	1	1
		Contravene the requirement to wear face covering in certain indoor places	N/A	14	14
		Contravene a requirement not to participate in a gathering in a private dwelling which consists of more than 6 people	N/A	7	7
Local COVID-19 Alert Levels/All	England only	Obstruct person carrying out function under the regulations	116	N/A	116

Tiers (England				
only)	Contravene a requirement imposed, or a direction given, by a relevant person	573	N/A	573
	Contravene a reasonable instruction given by a relevant person	413	N/A	413
	Contravene requirement to not participate in a gathering in a Tier 1 area of more than six people	514	N/A	514
	Contravene a Tier 1 Restriction	1	N/A	1
	Contravene requirement to not participate in a gathering indoors in a Tier 2 area of two or more people	2,443	N/A	2,443
	Contravene requirement to not participate in a gathering outdoors in a Tier 2 area of more than six people	156	N/A	156
	Contravene requirement that no person living in a Tier 2 area may participate in a gathering outside the restricted area which consists of two or more people indoors	17	N/A	17
	Contravene requirement that no person living in a Tier 2 area may participate in a gathering outside the restricted area of more than six people outdoors	25	N/A	25
	Contravene a Tier 2 restriction	25	N/A	25
	Contravene requirement to not participate in a gathering in the Tier 3 area of two or more people - private dwelling/any indoor space	3,279	N/A	3,279
	Contravene requirement that no person living in a Tier 3 area may participate in a gathering outside the restricted area which consists of two or more people - private dwelling/any indoor space	224	N/A	224
	Contravene a requirement to not participate in a gathering in a relevant public outdoor place in the Tier 3 area of more than six people	150	N/A	150
	Contravene requirement to not participate in a gathering in any other outdoor place in the Tier 3 area of two or more people	285	N/A	285
	Contravene requirement that no person living in a Tier 3 area may participate in a gathering outside the restricted area which consists of more than six people in a relevant public outdoor place	50	N/A	50

		Contravene requirement that no person living in a Tier 3 area may participate in a gathering outside the restricted area which consists of two or more people in any other outdoor place	26	N/A	26
		Contravene a Tier 3 Restriction	40	N/A	40
		Contravene a requirement to not participate in a gathering in the Tier 4 area of two or more people - private dwelling/any indoor space	12,833	N/A	12,833
		Contravene a requirement to not participate in a gathering in a specified outdoor place in the Tier 4 area of more than two people	1,593	N/A	1,593
		Contravene a requirement to not participate in a gathering in any other outdoor place in the Tier 4 area of two or more people	6,249	N/A	6,249
No.4 regs (national		Contravene requirement that no person living in a Tier 4 area may participate in a gathering outside the restricted area which consists of two or more people - private dwelling/any indoor space	250	N/A	250
		Contravene requirement that no person living in a Tier 4 are may participate in a gathering outside the restricted area which consists of more than two people in a specified outdoor place	121	N/A	121
lockdown, England only)		Contravene requirement that no person living in a Tier 4 area may participate in a gathering outside the restricted area which consists of two or more people in any other outdoor place	242	N/A	242
		Contravene requirement to not leave or be outside of place of living	9,139	N/A	9,139
		Contravene a requirement/direction/instruction from a relevant person	273	N/A	273
		Contravene requirement to not participate in an indoor gathering of two or more people	4,135	N/A	4,135
		Contravene requirement to not participate in a gathering of more than two people in public outdoor place	1,252	N/A	1,252
		Contravene requirement to not participate in a gathering of two or more people in other outdoor space	324	N/A	324
Holding a gathering	England only	Contravene requirement to not leave or be outside of place of living	1,160	N/A	1,160

TOTAL		66,745	5,802	72,547
Wales only	Holding a gathering[1]	N/A	3	3
	Contravene requirement not to hold, or be involved in holding, a gathering of more than thirty people – land (certain public outdoor spaces)	83	N/A	83
	Contravene requirement not to hold, or be involved in holding, a gathering of more than thirty people – vessel (other than a houseboat or a vessel used for public transport)	62	N/A	62
	Contravene requirement not to hold, or be involved in holding, a gathering of more than thirty people – vessel (other than a houseboat or a vessel used for public transport)	2	N/A	2
	Contravene requirement not to hold, or be involved in holding, a gathering of more than thirty people – dwelling/houseboat	126	N/A	126

Note: a) The total in this table exceeds the headline measure of total FPNs issued as an FPN can be issued for more than one reason. b) No FPNs have been issued for the reason of: 'Contravene requirement to not participate in a gathering of more than thirty people - vessel (other than houseboat)'

Table 2: FPNs issued under emergency COVID-19 regulations, by gender, between 27th March 2020 and 14th February 2021 in England and Wales

	England	Wales	Total
Male	72%	71%	72%
Female	27%	28%	27%
Other	0%	0%	0%
Unknown	1%	0.4%	1%

Table 3: FPNs issued under emergency COVID-19 regulations, by age group, between 27th March 2020 and 14th February 2021 in England and Wales

	England	Wales	Total
18-24	45%	37%	45%
25-29	17%	17%	17%
30-34	12%	14%	12%
35-39	8%	10%	8%

40-44	6%	7%	6%
45-49	4%	5%	4%
50-54	3%	4%	3%
55-59	2%	3%	2%
60-64	1%	2%	1%
65+	1%	2%	1%
Unknown	0.1%	0.1%	0.1%

Table 4: FPNs issued under emergency COVID-19 regulations, by self-defined ethnicity, between 27th March 2020 and 14th February 2021 in England and Wales

	England	Wales	Total
White	75%	89%	76%
Asian and			
Chinese	13%	7%	12%
Black	8%	2%	7%
Mixed	3%	2%	3%
Other	2%	1%	2%

Notes: Excludes 21% of FPNs where the ethnicity of the individual issued with the notice was unknown (22% for England and 7% for Wales).

Headline figures for FPNs issued under the face coverings regulations, England and Wales

A total of 456 notices have been recorded as having been issued by police forces under the Wearing of Face Coverings on Public Transport Regulations between 15th June 2020 and 14th February 2021, and 1,888 notices have been issued under the Wearing of Face Coverings in a Relevant Place Regulations between 24th July 2020 and 14th February 2021.

Face coverings on public transport

A weekly count of FPNs issued under face coverings on public transport regulations has shown that an average of thirteen FPNs have been issued each week (with 456 notices issued to 14th February 2021 since 15th June 2020). There is no discernible trend apparent from the data.

Further breakdowns of FPNs issued under the Face coverings on public transport regulations are presented below.

- The vast majority of FPNs issued under this regulation type were issued to males (around 8 in 10).
- Over half (55%) were issued to individuals aged between 18 and 29.
- Of the 337 records where ethnicity was provided, the majority (62%) were issued to individuals who self-identified as White, a lower proportion than other FPNs. This may reflect public transport being more prevalent in metropolitan areas.
- As might be expected, the BTP issued most of such FPNs to date (182 out of 456) for individuals not complying with the transport regulations.

• Most FPNs issued under these regulations were for contravening the requirement to wear a face covering when on public transport (422 – Table 5).

Table 5: Reasons for which FPNs has been issued under the wearing of face coverings on public transport regulations, between 15th June 2020 and 14th February 2021 in England and Wales

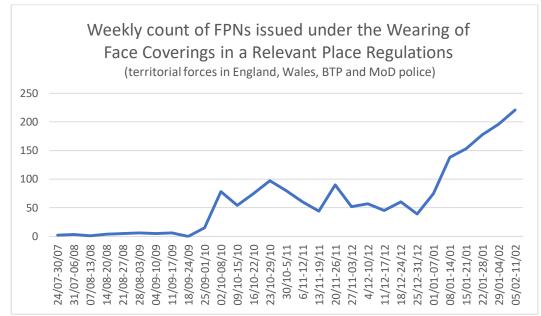
REASON FOR ISSUE	
Contravene requirement to wear	
a face covering when on public	
transport.	422
Obstruct person carrying out	
function under these regulations	8
Contravene direction given under	
these regulations	40
TOTAL	470

Note: a) The total in this table exceeds the headline measure of total FPNs issued as an FPN can be issued for more than one reason

Face coverings in a relevant place

Between 24th July 2020 and 14th February 2021, 1,888 FPNs were issued under face coverings in a relevant place regulations. Very few FPNs were issued in the first couple of months that the regulations were in place. However, at the start of October the number of FPNs increased with 78 FPNs issued between 2nd and 8th October 2020. The number of FPNs issued each week then remained around this level before declining in late November. The number of FPNs remained relatively stable, before an increase to 100 in the last full week of 8th - 14th January 2021. The FPNs continued to increase to over 200 in the last full week of 5th - 11th February.

Chart 2: FPNs issued under Face coverings in a relevant place regulations between 24th July 2020 and 11th February 2021



Further breakdowns of FPNs issued under the Face coverings in a relevant place regulations are presented below.

- The majority of FPNs issued under this regulation type were issued to males (around 8 in 10).
- Less than half (43%) were issued to individuals aged between 18 and 29.
- Of the 1,575 records where ethnicity was provided, the majority (64%) were issued to individuals who self-identified as White.
- Merseyside issued the most FPNs of any force to date (261 out of 1,888) for individuals not complying with the rules regarding face coverings in a relevant place. West Mercia issued the second highest number of FPNs (253 out of 1,888).

Table 6: Reasons for which FPNs has been issued under the wearing of face coverings in a relevant place regulations, between 24th July 2020 and 14th February 2021 in England and Wales

REASON FOR ISSUE	
Enter / remain in relevant place in England without wearing a	
face covering	1,388
Contravene direction given to wear face covering within a	
relevant place (Direct that person to wear such a covering)	483
Contravene direction given to wear face covering within a	
relevant place (Direct that person to leave the relevant place)	64
Obstruct person carrying out function under regulations	
regarding face coverings	16
TOTAL	1,951

Understanding the data

These data cover the number of FPNs issued under COVID-19 regulations which came into effect from 27th March 2020.

Data presented in this release represent the number of FPNs issued. While the vast majority of FPNs relate to a single individual, some people have been issued with an FPN more than once. An FPN can be issued for more than one reason.

Figures on the number of FPNs issued should not be seen as a measure of the amount of police activity involved in policing the new measures, or the level of public non-compliance, since fines are issued as a last resort after initial attempts to engage with the public to explain and encourage compliance with the new regulations have not been successful.

Owing to the time taken to process FPNs, figures presented here are likely to underestimate the volume of FPNs issued each day and will be updated with each release as new data are received, although the rate of increase in revised data has slowed significantly.

The nature of the administrative process involved in issuing an FPN is such that there is sometimes missing data or discrepancies when data are returned. For example, as ethnicity is self-defining this is not always completed, and the level of missing data needs to be considered when interpreting such figures.

Force level figures are presented for England in Annex A and Wales in Annex B. However, caution should be taken to make comparisons between forces as variation in is likely to reflect a range of factors including how the force has decided to police non-compliance as well as differences in local context (e.g. composition and density of the local population).

ANNEX A - Fixed Penalty Notices (FPNs) issued in England under emergency health regulations, 27th March 2020 to 14th February 2021

Note: Nil does not necessarily mean nil FPNs issued, but nil processed by ACRO at the time of the snapshot. Please confirm with forces directly if questions arise and check future publications where appropriate as numbers will be updated.

Force	No.1, No.2 and local lockdown regs	Local COVID-19 alert levels	Hold a gathering of more than 30 people	No.4 regs (national lockdown)	All tiers	Face coverings regulations (public transport & relevant place)	International travel regulations	Business regulations	Total number issued to date including local lockdowns (27th March to 14th February)
Avon & Somerset	373	36	2	135	873	5	8	20	1,452
Bedfordshire	278	2	2	21	324	38	2	5	672
British Transport	324	0	-	14	303	243	5	0	889
Cambridgeshire	136	25	3	67	311	37	12	5	596
Cheshire	203	67	0	149	604	6	11	10	1,050
City of London	73	0	2	9	57	1	0	1	143
Cleveland	299	0	2	13	82	0	0	0	396
Cumbria	740	13	0	137	408	17	8	11	1,334
Derbyshire	255	5	3	21	390	18	2	6	700
Devon & Cornwall	1,007	47	0	152	690	7	7	4	1,914
Dorset	851	27	1	121	138	2	0	2	1,142
Durham	197	0	1	43	390	5	5	5	646
Essex	274	94	8	82	464	19	8	12	961
Gloucestershire	233	4	2	29	200	1	4	1	474
Greater Manchester	796	378	13	680	1,523	69	49	36	3,544
Hampshire	255	106	0	109	715	26	3	33	1,247
Hertfordshire	275	10	4	47	242	18	8	8	612
Humberside	143	5	1	31	14	0	2	0	196

Kent	128	1	9	113	1,004	17	10	7	1,289
Lancashire	856	101	12	340	1,564	66	39	25	3,003
Leicestershire	416	10	15	115	1,062	6	6	5	1,635
Lincolnshire	237	2	0	88	324	27	9	3	690
Merseyside	619	145	29	490	2,285	271	17	81	3,937
Metropolitan	1,150	19	76	466	8,072	368	53	153	10,357
Ministry of Defence	37	0	0	0	52	0	0	0	89
Norfolk	411	5	2	35	647	3	2	0	1,105
North Yorkshire	1,149	4	0	287	1,053	6	6	4	2,509
Northamptonshire	370	16	10	234	1,010	294	16	4	1,954
Northumbria	797	1,287	1	993	1,323	145	11	0	4,557
Nottinghamshire	205	158	15	353	1,233	13	9	9	1,995
South Yorkshire	375	27	0	300	526	20	14	0	1,262
Staffordshire	43	15	1	203	924	16	3	4	1,209
Suffolk	262	1	0	39	454	4	7	2	769
Surrey	513	0	1	19	690	7	6	1	1,237
Sussex	867	1	2	15	703	9	9	12	1,618
Thames Valley	774	55	5	100	771	6	16	9	1,736
Warwickshire	102	92	4	209	442	25	2	17	893
West Mercia	240	61	5	204	866	259	8	12	1,655
West Midlands	398	22	19	328	1,443	259	10	61	2,540
West Yorkshire	776	52	21	202	965	6	13	13	2,048
Wiltshire	186	2	1	13	264	5	2	1	474
Total	17,623	2,895	272	7,006	35,405	2,344	402	582	66,529

ANNEX B - Fixed Penalty Notices (FPNs) issued in Wales under emergency health regulations, 27th March 2020 to 14th February 2021

Force	No.1 regs	No.2 regs	No.3 regs	No.4 regs	No.5 regs	Hold a gathering of more than 30 people	ITR	Total
British Transport	24	0	0	1	97	0	0	122
Dyfed-Powys	1,728	4	43	14	183	0	0	1,972
Gwent	132	20	98	69	570	0	0	889
North Wales	476	103	22	55	331	3	0	990
South Wales	304	48	121	469	833	0	3	1,778
Total	2,664	175	284	608	2,014	3	3	5,751