

Police Powers under Covid-19

The government has issued guidance on social distancing and have introduced emergency regulations (laws) which give the police extensive new powers over people's everyday lives, in order to prevent or reduce the spread of COVID-19.

Staying home

Regulation 6 limits all non-essential travel.

You can only leave home if you have a 'reasonable excuse'



Being outside without a reasonable excuse



The police can direct you to return home or remove you to your home, using reasonable force where necessary.

Fixed Penalty Notices

It's an offence to breach the restrictions, fail to comply with directions or obstruct an official, without reasonable excuse.



A PC or a PCSO may issue a fixed penalty notice:

- £60 for a first offence (£30 if paid in 14 days)
- £120 for a second offence.

People under 18 cannot be given fixed penalty notices

Potentially infectious persons

Under the Coronavirus Act (Sch 21), the police can:

- Direct or remove a person to a place for screening and assessment
- Keep a person at a place for screening and assessment
- Enforce a quarantine



What is a reasonable excuse?

Includes, among others:

- Shopping for basic necessities
- Exercise
- Medical need
- Helping a vulnerable person
- Attending work (if cannot work from home)
- If you're at risk of harm



No gatherings!

Regulation 7, with limited exception (e.g. attending a funeral) prohibits gatherings in a public place of more than two people.



An officer can direct gatherings to disperse, direct you to return home or remove you to your home. Reasonable force may be used where necessary.

Police Powers

Regulation 8 lists the police powers of enforcement, including:

- Directing or removing people in breach, to their homes, with force if necessary
- Issuing Fixed Penalty Notices (if over 18)
- Prosecuting those in breach of the Regulations



Police Powers general powers

The general existing police powers relating to stop and account, stop and search and powers of arrest are also exercisable in connection with the outbreak.

Necessary and Proportionate

Officers and PCSOs enforcing these powers must consider that it is a necessary and proportionate means of ensuring compliance.



Enforcement: last resort

The police should apply the law in a way that is flexible, discretionary and pragmatic. This will enable officers to make sensible decisions and employ their judgment.



Enforcement should be a last resort

Stop and Account

There is no additional power for police to 'stop and account' (ask a person what they are doing / why they are in an area / where they are going or what they are carrying) under the Coronavirus Act / Regulations.



Do I have to answer?

An officer may ask you questions to ensure compliance with the Regulations.



Stop and search

There are no specific powers to stop and search under the Coronavirus Act or Regulations.



You do not have to answer, but failing to do so may lead an officer to suspect you to be outside your home in breach of the Regulations. Officers can then direct you to go home, remove you to your home, issue a FPN or arrest and charge you with an offence.

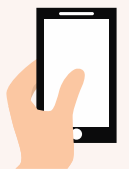
Grounds for stop and search

A police officer only has powers to stop and search you if they have 'reasonable grounds' to suspect:



- You have been involved in a criminal offence, or*
- You are in possession of a prohibited item.*

Reporting policing



If you're concerned about police behaviour you have seen, please contact:

- NetPol: info@netpol.org
- The Monitoring Group: office@tmg-uk.org
- StopWatch: info@stop-watch.org
- LCAPSV: lcapsv@gmail.com