



Our Ref: 002674/20

Your Ref:

Address Correspondence to: Information Management

Date 25 August 2020

Freedom of Information Act 2000

I write further to your request for information received 11/08/2020.

I note you seek access to the following information:

I am writing to you under the Freedom of Information Act 2000 to request the following information about Fixed Penalty Notices (FPNs) that the police have issued to people under The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020:

ACRO has told me that:

If someone believes they have been issued an FPN in error or unfairly, then this can be formally contested. Recipients need to respond to their enforcement letter to inform the police that they intend to challenge the FPN issued to them.

At this point, the relevant police force will assess the FPN and decide whether to proceed with prosecution. If so, the recipient is able to enter a plea of either not guilty or guilty, which is then received by Her Majesty's Courts and Tribunals Service (HMCTS) where it will be dealt with by way of the single justice procedure (SJP).

1) Please could you provide me with the total number of people that have informed your force they intend to challenge the FPN issued to them?

2a) Of that number how many FPNs did you decide to a) retract and b) uphold and move to prosecution? If your force was able to make other decisions besides prosecuting or retracting the FPN, please specify what those decisions were and how many FPNs they applied to.

2b) How many FPN challenges are you still considering?

3) Of the FPNs that you decided to proceed to prosecution with, how many resulted in the recipient entering a not guilty plea? How many resulted in the recipient entering a guilty plea?

4) In a situation where a recipient challenged their FPN but your force decided it should be upheld, would the recipient have still been able to pay the fine and avoid prosecution or do they lose that option?

I would like the above information to be provided to me as electronic copies emailed to matthabusby@gmail.com.

If to provide this information would trigger the cost exemption, please let me know as soon as possible, and I will refine my request.

If this request is unclear, I would be grateful if you could contact me as I understand that under the Act, you are required to advise and assist requesters. If any of this information is already in the public domain, please can you direct me to it, with page references and URLs if necessary.

If the release of any of this information is prohibited on the grounds of breach of confidence, I ask that you supply me with copies of the confidentiality agreement and remind you that information should not be treated as confidential if such an agreement has not been signed. If it is not possible to provide the information requested due to the information exceeding the cost of compliance limits identified in Section 12, please provide advice and assistance, under the Section 16 obligations of the Act, as to how I can refine my request.

I understand that you are required to respond to my request within the 20 working days after you receive this letter. I would be grateful if you could confirm in writing today that you have received this request.

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

Q1 7

Q2a No other decisions made. Of the 7, 3 were put forward for Prosecutions and 4 we await the decision from the relevant officers

Q2b 4

Q3 These will have not gone to court yet, once they do there is then a further 21 days before the person should enter the plea. It is therefore too early to answer this question.

Q4 Once the 28 days from the initial letter have passed and ACRO inform us then the individual loses the right to pay

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer

Leicestershire Police

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