
STATUTORY INSTRUMENTS

2020 No. 1374

**The Health Protection (Coronavirus, Restrictions)
(All Tiers) (England) Regulations 2020**

PART 3

Enforcement

Enforcement of restrictions and requirements

9.—(1) A relevant person may take such action as is necessary to enforce any Tier 1 restriction, Tier 2 restriction or Tier 3 restriction.

(2) A relevant person may give a prohibition notice to a person if the relevant person reasonably believes that—

- (a) the person is contravening a restriction imposed by Part 2 or 3 of Schedule 1, Part 2 or 3 of Schedule 2 or Part 2 of Schedule 3, and
- (b) it is necessary and proportionate to give the prohibition notice for the purpose of preventing that person from continuing to contravene the restriction.

(3) Where a relevant person considers that a number of people are gathered together in contravention of a restriction imposed by paragraph 1 of Schedule 1, paragraph 1 or 2 of Schedule 2 or paragraph 1 or 2 of Schedule 3, the relevant person may—

- (a) direct the gathering to disperse;
- (b) direct any person in the gathering to return to the place where they are living;
- (c) where the relevant person is a constable, remove any person from the gathering.

(4) A constable exercising the power in paragraph (3)(c) to remove a person from a gathering may use reasonable force, if necessary, in exercise of the power.

(5) Where a person who is in a gathering in contravention of a restriction referred to in paragraph (3) is a child accompanied by an individual who has responsibility for the child—

- (a) the relevant person may direct the individual to take the child to the place where the child is living, and
- (b) that individual must, so far as reasonably practicable, ensure that the child complies with any direction or instruction given by the relevant person to the child.

(6) Where a relevant person has reasonable grounds to believe that a child is repeatedly failing to comply with a restriction referred to in paragraph (3), the relevant person may direct any individual who has responsibility for the child to secure, so far as reasonably practicable, that the child complies with the restriction.

(7) A relevant person may exercise a power under paragraph (3), (5) or (6) only if the relevant person considers that it is a necessary and proportionate means of ensuring compliance with a restriction referred to in paragraph (3).

(8) A relevant person exercising a power under paragraph (3), (5) or (6) may give the person concerned any reasonable instructions the relevant person considers to be necessary.

(9) For the purposes of this regulation—

(a) an individual has responsibility for a child if the individual—

- (i) has custody or charge of the child for the time being, or
- (ii) has parental responsibility for the child;

(b) “relevant person” means—

- (i) a constable,
- (ii) a police community support officer,
- (iii) subject to paragraph (10), a person designated by a local authority for the purposes of this regulation, or
- (iv) a person designated by the Secretary of State for the purposes of this regulation.

(10) A local authority may designate a person for the purposes of this regulation only in relation to—

- (a) a Tier 1 restriction imposed by Part 2 or 3 of Schedule 1,
- (b) a Tier 2 restriction imposed by Part 2 or 3 of Schedule 2, or
- (c) a Tier 3 restriction imposed by Part 2 of Schedule 3.