

**From:** TODD Alan  
**Sent:** 01 April 2020 13:38  
**To:** zAll Organisation (Can only be e-mailed by a Chief Officer)  
**Subject:** OFFICIAL [PSNI ONLY]: Covid-19 Update.  
**Attachments:** nisir\_20200055\_en.pdf; OFFICIAL [PSNI ONLY]: Your Help Please.

This e-mail has been marked **OFFICIAL [PSNI ONLY]**

Colleagues

Today rather than the (now) usual update across a range of areas, I thought it might be useful to concentrate on the single item of 'The New Regs.' Or to give them their full name 'The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020, introduced over the weekend. Whilst this will mean today's email is largely an operational one aimed primarily at police officers, It is something we can all benefit from understanding, both in terms of the law and our approach. I have attached a copy the regulations for your consideration.

I know that the operational briefing material has been circulated as has a 'Practical Peeler' to assist you in your work. However, as I have mentioned previously, the 'How' we approach this important area of work is as important as the legislation itself. This is made even more important by the fact that the legislation does not closely define some terms within the regulations which in turn requires you to exercise your professional judgement and indeed your common sense.

You will know that our outline approach is based on the '**FOUR E's**', understanding that in the vast majority of cases, the first **THREE E's** will resolve the issue.

- ✓ **Engage:** officers will ask whether an individual is aware of the government request; establish individual circumstances and how quickly someone can comply.
- ✓ **Explain:** officers will explain the risks to public health, and to the NHS in line with government guidance.
- ✓ **Encourage:** officers will encourage voluntary compliance
- ✓ **Enforce:** if faced with non-compliance, officers will, if necessary and proportionate move to enforce their requirement – normally by way of issue of a fixed penalty notice.

**Our aim is to encourage and support our communities to comply fully with these restrictions. So far, the vast majority of people are doing the right thing and maintaining that compliance and goodwill is key to our success. We have no desire to use the formal powers now made available to policing but its right that we're able to enforce against those who disregard these measures and put people at risk.** We have started and will continue to task officers and teams to patrol key areas, monitor key stores & pharmacies and also 'filter' rather than necessarily stop traffic in key areas. At this point, the key aim is to be visible to communities as a reassurance to them but also as a deterrent to those who may wish to ignore the current restrictions.

Of course, I understand that this will, at times, be a fine balance for you, but I encourage you to exercise your professional judgement with the utmost discretion. Our actions will be under scrutiny. We will need to be clear as to what the **regulations** say and what the **restrictions** are and not be unnecessarily distracted by what some people think they are or would wish them to be. **You should also note....**some of the public messaging, which we support and which is critical in ensuring people's health & well-being, is not necessarily within the legislation.

There has over recent days been some high profile criticism of colleagues elsewhere in Great Britain where they have strayed away from the regulations, actions though even in good faith, can potentially undermine community confidence in our work. I include these, not for any purpose other than to illustrate the point and **urge you not to repeat** mistakes already made;

- Retail staff sent home for going to work too early

- Store manager threatened with arrest for numbers in store
- Requesting the closure of clothing elements of supermarkets
- Asking a customer to remove sunglasses from their food basket as non-essential
- Not allowing cleaners going to a retail store to go to work
- Not allowing SIA staff to go to general site security roles (non retail)
- Not accepting black and white letters verifying they are in retail roles from companies
- Supermarket chain call centre being asked to close

Notwithstanding that several of the above examples are beyond our current taskings and approach, I think, we can see not only have people, no doubt in good faith, gone beyond what is necessary but certainly beyond the regulations.

Some key considerations;

### **Who should be travelling to work?**

This is not widely defined in the regulations.

People such as healthcare workers, emergency services workers and food retail staff are pretty straightforward. Mechanics maintaining lorries for the distribution network, plumbers servicing food cold storage facilities perhaps less so. The legislation provides for "travel for the purposes of work....where it not reasonably possible for that person to work from the place where they are living". This is clearly a wide categorisation.

Regulation 5 in the attached for a full list of reasons for someone to be 'out of their home'.

Schedule 2 lists businesses that should close.

You should avoid making judgements on people travelling to work, solely on whether their business in on the 'Closed' list. For example, An indoor Ice Rink is required to be closed, but maintenance staff may be required to attend to maintain the facility. A car showroom may be required to be closed, but a manager may have a requirement to check the security of the premises or stock.

The above examples illustrate the need for your professional judgement and again I would urge your discretion in dealing with such situations:

### **Individual Circumstances**

You all know from your experience that there will be individual cases. In recognising that, and by way of illustration, I have attached an 'anonymised' email sent by a parent to the Chief Constable today. You can tell from the content, and the fact the fact that the person took time to send the email to the Chief, the real difficulties and stress the current situation can pose to some people in our communities. Please take time to read it. It captures both the angst of parent AND the challenges we face moving forward. I'd therefore, once again, appeal to your professional judgment and discretion as we deal with people over the weeks ahead.

Thank you all once again for your continued commitment to Police Service and to Keeping People Safe.

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