

Witness Name: Danielle Daltrey

Statement No.: 1

Exhibits: INQ000587600

Dated:19/05/25

UK COVID-19 INQUIRY

WITNESS STATEMENT OF DETECTIVE SUPERINTENDENT DANIELLE DALTREY

I, Head of ACRO Criminal Records Office Detective Superintendent Danielle Daltrey, will say as follows: -

Introduction

1. ACRO Criminal Records Office (ACRO) was founded in 2006 and is a National Police Chiefs' Council (NPCC) national police unit hosted by Hampshire and Isle of Wight Constabulary (HIOWC) created as a result of a s22a Police Act 1996 Collaboration agreement on behalf of the 43 Chief Constables of England and Wales.
2. The ACRO Governance Board oversees ACRO's work; the Board is independent and chaired by the chair of the NPCC. The Board comprises stakeholder representatives from government, policing and expert members, plus representatives from Scotland and Northern Ireland.
3. ACRO has a Chief Executive Officer (CEO) and the Head of ACRO is a Police Superintendent from HIOWC; this gives ACRO its policing powers. ACRO provides a range of policing-related services for members of the public, international law enforcement organisations and non-police agencies.
4. ACRO also shares criminal records with EU member states and non-EU countries on behalf of UK Policing. ACRO's purpose is to support UK and international law

enforcement by securely processing criminal records for the purpose of public protection, safeguarding and worldwide community safety.

Pandemic preparedness and planning

5. Prior to the pandemic ACRO did not have a dedicated and proven process to manage Fixed Penalty Notices (FPNs) and collect fines; FPNs were something completely new for the organisation.
6. ACRO did have several advantages that made it a strong candidate for taking on this new role on behalf of the NPCC, as a national policing unit:
 - (i) staffing availability, due to the requirement for many international demand processes diminishing at the start of the pandemic with far less international travel taking place;
 - (ii) proven police data processing mechanisms, with a robust customer service provision supported by a dedicated telephonic system to handle queries from members of the public;
 - (iii) ACRO possessed a comprehensive analytical reporting model and capability, together with an established finance team with a bespoke payment system previously deployed to take payments from members of the public for ACRO services;
 - (iv) an existing structure of clerical staff, comprising customer services and data processors, supplemented by temporary staff, all of which could be adapted to meet the needs to support the FPN process.
7. This meant that, whilst changes to ACRO's pre-pandemic operations were needed in any case, due to the drop-off in demand for 'business as usual' requirements, the structures existed that enabled ACRO to pivot to provide this new service, on behalf of UK policing.
8. The customer services team was dedicated to calls on FPNs. Additional phone lines were installed to cope with volumes, which was an extension of the existing infrastructure.
9. The existing business development team was repurposed and tasked with developing and implementing an end to end process to allow for the distribution of

FPNs, the collection of issued notices, processing of said notices and the collection of monies paid.

10. This was new activity for ACRO, as the organisation in normal times is not involved in handling FPNs, but the organisation was able to pivot quickly to meet this urgent new requirement.

Co-working

11. An agreement was made to centralise the process nationally throughout England and Wales only under the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and Health Protection (Coronavirus, Restrictions) (Wales) Regulations 2020 respectively.
12. Scotland and Northern Ireland (NI) did not enter into an agreement with ACRO for ACRO to provide this service on their behalf.
13. It was agreed/evident that NI Regulations were significantly different to England. Enforcement in NI was through the judicial bodies with the assumption at the time that NI utilised the NI fixed penalty office. ACRO therefore, did not offer to take on NI's system.
14. ACRO did liaise with NI and offered support and advice on the approach taken for England and Wales.
15. In addition, the Home Office Police Powers Unit advised that in Scotland and NI their versions of the regulations provide payments to the courts and ACRO could not support this process. Verbal communication was made between ACRO and Scotland in this regard.

Data and modelling

16. During the pandemic ACRO provided weekly statistical updates, rather than analysis of trends, providing data on volumes of Covid-19 FPNs issued/received, broken down by: legislation, offences, weeks, gender, age, ethnicity, force and payment status.

17. For the purposes of analysis, ACRO supplied data to the Home Office, HMICFRS and the University of Edinburgh, who were appointed by the NPCC to receive a dataset similar to that sent to the Home Office in order to research the transparency of the use of new police powers in England and Wales under the Regulations.
18. The University of Edinburgh's findings were published in March 2023. These datasets were for Covid-19 FPNs overall, rather than specifically relating to offences for self-isolation and were published as part of the NPCC communications strategy; these are available in the public domain and formed the basis of academic research produced by Edinburgh University.
19. Over time ACRO became aware of several limitations of the data including:
 - weaknesses in the data collection which resulted in an initially large proportion of records with missing ethnicity data;
 - even after the exercise carried out to improve the ethnicity data, some forces still had a relatively high level of records with missing ethnicity data; and
 - inconsistent use of classification schemes to record ethnicity across forces, limiting the level of disaggregation that was possible.
20. ACRO undertook an exercise to improve the quality of the ethnicity data which entailed:
 - identifying all FPNs with missing ethnicities on the ACRO data set;
 - a review was conducted of the source data to establish whether ethnicities had not been added to the spreadsheet in error;
 - once these were updated, each force was sent a spreadsheet of missing ethnicities and requested to confirm Officer Declared Ethnicity/Self-Declared Ethnicity data, which ACRO subsequently used to update the records retrospectively. The updated records were also shared by ACRO with the Home Office, HMICFRS and Edinburgh University.

Enforcement and adherence

21. When a member of the public contravened a regulation, there was a standard process in place that allowed for the processing of the FPN. The details were

recorded by the officer on a dedicated proforma and sent to ACRO by the force via email.

22. ACRO would log a mandatory dataset which was the minimum dataset agreed by ACRO and Police Forces as necessary to furnish a FPN. The details of this mandatory data are as follows:
 - Name
 - Date of Birth
 - Ethnicity (self-declared and/or officer declared)
 - Address
 - Officer details
 - Issuing force
23. A unique reference number (URN) was allocated to each case.
24. If any of the mandatory data was missing ACRO would reject the FPN back to force requesting that the missing data be provided or an update on how to proceed be issued, should the missing data not be available. If all data was present, ACRO would send the FPN to the data subject(s), issued under the relevant legislation.
25. The subject would have 28 days from date of issue of the FPN to respond. This would either be in the form of payment of the FPN or contesting the issuing of the penalty. ACRO allowed 5 days in addition to the 28-day deadline to allow for delays in payment/post/ correspondence etc.
26. If a payment was received, a compliance letter was raised and sent to the subject and ACRO informed the issuing force the fine had been paid.
27. If the FPN was not paid, the subject was informed in writing the FPN was non-compliant and advised of the next steps for a non-compliant FPN or how to request to contest the FPN. The force responsible for the submission of the original proforma was informed in writing via email requesting a case review.

28. The force had the option to rescind the FPN or continue through the court process. The email contained all correspondence in the file, including the original force submission and any correspondence received from the subject.
29. If the decision was to rescind, the case was closed at ACRO, and the subject was informed the case had been closed and no further action was necessary. If the decision was to proceed to court, this was recorded, and the case was closed for ACRO.
30. There were small differences between the processes for England Wales. For Wales only, all correspondence to the subject included a translated version of the letters in Welsh. The fine amount and the 'laddering' process had different criteria. The process to check against previous offences was the same but the calculations differed. 'Laddering' is the term used for calculating breaches of multiple regulations over time and the effect this had on the fine amounts.
31. Legislation was successfully modified in April 2020 to provide that the Secretary of State for Health and Social Care designated the Chief Executive Officer of the ACRO Criminal Records Office the authority to whom payment of a fixed penalty may be made.
32. Separate designations were provided by the Chair of the NPCC for the English Police Forces and from the Chief Constable of North Wales Police, in his capacity as Chair of the Wales Chief Officers' Group (WCOG), to authorise ACRO to process FPNs on behalf of the respective police forces in England & Wales including British Transport Police and the Ministry of Defence police.
33. There was no significant impact experienced due to the differences of the designations.
34. ACRO's role in reviewing FPNs was strictly limited to administrative issues. As stated before, this included checking for the inclusion of mandatory data to successfully send the FPN and the ability to reject back to the issuing force if this data was missing.

35. The authority to reject FPNs back to force came from the force gold group and the designations from the Chair of the NPCC and Chair of the WCOG to act on behalf of the forces. In practice, the review that took place for each FPN encompassed the following:
- Was all mandatory data available?
 - Was the offence used to record the FPN live at the time and date the offence was committed?
 - Was the subject over 18 years of age at the time of the offence?
36. ACRO did not review any actions taken by force, or the force's processes throughout their encounter with an individual.
37. To assist ACRO staff to review the circumstances of the offence under the points at paragraph 35 above, simple guidance was put in place that covered the key check points as outlined above.
38. This review was undertaken by the individual staff logging the FPNs as they were received at ACRO.
39. As a result of this 'administrative review' being undertaken by ACRO, the following dataset gives an indication of the volume of FPNs that were returned to force. This is taken from the last published dataset provided by ACRO and encompasses all FPNs that were issued.
40. It is worth reiterating that these were not 'decisions' taken by ACRO as such: ACRO did not consider whether a FPN imposed by police should have been issued, there were three reasons why notices were discounted as set out below:
41. The following notices were discounted from the dataset due to them being rejected for clarification/further information (pending response), the subject was under 18 or they had been cancelled at the force's request.
- England: 10,151
 - Wales: 719
 - International travel regulations (England): 171

- Face covering regulations (England): 529
- Relating to businesses (England): 163
- Self-isolation (England): 595, plus additional 10 which were being reviewed by the issuing force.

42. For the fines that were pending response, unfortunately ACRO does not have the breakdown of data that allows interrogation of the responses to these totals.

43. If at any point during the FPN process the subject wished to dispute the issuance of the FPN, subjects could respond in writing (by email or post) to ACRO and request the FPN be rescinded. This was recorded and forwarded to the issuing force for their review and decision: this was not a decision made by ACRO as the processors.

44. As stated earlier in the statement, ACRO returned information to police forces about unpaid FPNs so forces could take appropriate action in relation to these individuals. The tables below break down this data based on the last report produced by ACRO in March 2022, with the figures subsequently shared with the public ref in document DD 01 – INQ000587600:

Regulation - England	Total	Payment Received	Contested	Non-compliant exceeded 28 days
No 1	15,974	7,752	273	7,922
No 2	583	430	21	132
Local lockdown	1,115	740	32	343
Holding a gathering (30+)	374	21	135	218
Local Covid alert levels	2,925	2,049	90	786
No 4	7,168	4,153	203	2,812
All tiers	73,782	41,866	1,242	30,663
Steps	5,019	3,074	92	1,853
International travel	831	312	176	343
Face coverings (transport)	624	310	25	289

Face coverings (relevant place)	3,123	1,510	209	1,404
Face coverings (new)	9	2	0	7
Businesses	877	383	126	368
Self-isolation	184	63	19	99

NB: At the date of the last publications, 11 all tiers notices were still within the 28 days payment period and three within the self-isolation regulations.

Regulation - Wales	Total	Payment Received	Contested	Non-compliant exceeded 28 days
No 1	2,665	1,730	34	901
No 2	176	119	6	51
No 3	283	182	3	98
No 4	662	513	6	143
No 5	8,239	5,278	54	2,904
Holding a gathering (30+)	3	1	2	0
International travel	37	7	7	20

45. ACRO does not hold any data on the reasons why these fines were unpaid as this data wasn't collected. ACRO is also unable to comment on how this compares with non-compliance for non-Covid related FPNs as ACRO does not hold this data.

Lessons learned

46. A number of lessons were learned from this experience, detailed below at paragraphs 47 to 58.

47. ACRO completed the administration for the Single Justice Process (SJP) for the Ministry of Defence (MOD) and the British Transport Police (BTP). ACRO's limited knowledge of this process added additional pressure onto the administration team. In future the Ministry of Justice should make available transparent guidance for the SJP.

48. As FPN volumes increased it became apparent a designated telephone room was required to separate calls for ACRO's normal business activity and FPN calls for payment or enquiry. ACRO set up a designated room which worked well and will form part of the contingency plan in any future incident/national supporting process.
49. No crisis management tool to help ACRO effectively handle the unexpected need to support the FPN process nationally was in place. A national crisis management plan that includes the enforcement aspects of any future emergency legislation should be developed.
50. Spreadsheets were initially used to control data management given there was little time to stand up a database. ACRO subsequently implemented a database for COVID FPNs in 2022 and this could be utilised for any further crisis management. This came as an indirect cost to policing, and so making funding available for emergency responses in future should be considered.
51. Dual location of teams dividing subject matter expertise provided much needed resilience due to the increasing levels of sickness caused by COVID.
52. The FPN legislation for England constantly changed. As part of the mandatory data required, staff compared the legislation to ensure the legislation was live at point of issue. For future events such as this where the need to implement fast track legislation changes is required, a tool to track commencement and repealed dates, along with how the different legislations interact, is imperative to maintain the integrity of any enforcement.
53. Volumes of FPNs rose greatly, increasing the resources needed to print, place in envelopes and post the FPNs. A decision was taken to use a secure company to print and send letters in bulk, which freed up resource.
54. Some police forces used different products to issue FPN notifications by officers and ACRO had to create a different proforma for each. It took some time to create a template that suited the majority to keep parity across the forces. An agreed standard should be put in place as part of any crisis management plan.

55. Given the speed of response to the emergency situation ACRO did not at the outset engage the Information Commissioner's Office (ICO) regarding ACRO processing FPNs on behalf of the forces. On a future occasion doing so in advance of processing would assuage any concerns that were sent to the ICO during the live FPN processing and enable the ICO to respond to these more quickly.
56. ACRO's communications team developed comprehensive FAQs for media and public use which were very clear that ACRO were the *processors* of FPNs and not the decision-makers. This clarity reduced the length of time the customer services team needed to spend on calls and in turn reduced the length of time callers were waiting to speak to ACRO advisors.
57. Due to the lack of scoping time at the outset ACRO were unable to seek alternative methods for payment reconciliation. Resilience has been put in place as part of business continuity planning.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

PD

Signed: _____

Dated: _____ 19th May 2025 _____