

14th May 2020

Freedom of Information Request – Reference No:20201161

REQUEST

Since the introduction of [The Health Protection \(Coronavirus, Restrictions\) \(England\) Regulations 2020](#) and [The Coronavirus Act 2020](#) on 25 March 2020 (or applicable Covid-19 laws) to the current date:

1. How many offences have been recorded by the force and under what law? (E.g. *The Health Protection Act: Regulation 7* or *The Coronavirus Act: Schedule 21*)
2. How many Fixed Penalty Notices (FPN) have been issued and under what law?
3. How many arrests have been made and under what law?
4. How many charges have been brought and under what law?

For all responses, please provide a summary of the alleged offence where possible and an offender breakdown by age, gender and ethnicity

RESPONSE

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- a. states that fact,
- b. specifies the exemption in question and
- c. states (if that would not otherwise be apparent) why the exemption applies).

Section 22 (1) (a) (b) - Information Intended for Future Publication

Public Interest Considerations

Information is exempt under S22(1)(a)(b) if the information is held by the Public Authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not). This is a class-based exemption and requires me to conduct a public interest test.

Considerations favouring disclosure

- Where public funds are being spent in respects to policing operations, there is public interest in transparency and justification.
- Disclosure would be seen as embracing an ethos of openness and accountability.
- Disclosure would provide information necessary for public comment and debate to take place in 'real-time'.

Considerations favouring non-disclosure

- The public will benefit from all of the facts being available at the same time, meaning the information will be in context, and more comprehensive.
- To release information in a piecemeal manner, will also cause disruption to the organisation by placing unwarranted stress on resources, both in terms of finance and manpower.
- Full disclosure now would disrupt the Publication Strategy, which is intended to provide the public with an accurate and comprehensive insight. Piecemeal disclosures may in damage the process and affect the strategic aims of the operation.

Balancing test

In balancing these factors, it is important to state that the publication strategy for any release of information in relation to the subject of COVID – 19, was drafted prior to the date of the above request made to SYP.

The strategy states that Communications, Strategy & Policy, Decision Making, Finances, Staffing, Complaints etc will be intended to be provided at a date when all proceedings relating to the operation have been determined as completed or figures finalised.

“In the Commissioner’s view, in order to engage section 22, a public authority must be able to show clearly which information within the scope of a request it intends to publish”

<https://ico.org.uk/>

It would not be beneficial at this stage to allocate resources to endeavour to collate answers to the above questions when the information is intended to be collated again in the future.

Therefore, at this time the balance lies firmly in waiting for when it is deemed appropriate to release figures that can be determined to be accurate and complete, as per the publication strategy.

The information you request falls within the scope of South Yorkshire Police’s Publication Strategy. Please see the following link to the Publication Strategy for the release of information in relation to COVID-19:

<https://www.southyorkshire.police.uk/find-out/right-to-information/categories-of-significant-interest/force-publication-strategy-covid-19/>

You may also find the following link useful for your research:

<https://www.southyorkshire.police.uk/find-out/how-you-can-help/covid-19-information-and-guidance/>