



FOI Request

Face Mask-Related Fines

Reference	RSN21603
Request Stage	Request
Date Received	09/01/2021
Date Responded	11/01/2021
Disclosure	Not Held
Exemptions / Exceptions	N/A
Supporting Documents	N/A

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Request

I'm writing with a Freedom of Information Act (2000) request for Merseytravel.

(1) I would like to know how much (£GBP) in levies, fines and court prosecutions have been raised in relation to individuals not wearing masks or face-coverings on your services.

I would like to know the above from June 2020 (when the mask requirements became legally enforceable) until the latest possible data available.

(2) I would like to know the division of those levies, fines and court prosecutions on each of your transport categories. (For instance, £10,000 on underground rail, £5,000 on buses, £3500 on overground rail, *et cetera*).

(3) I would like to know the percentage of your overall revenue came from levies, fines and court prosecutions for the six months from June to December 2020 (or the latest available data).

I would like to receive these materials via email. The format is whatever is easiest for you.

However — if **(3)** would take too much time to calculate, which would tip this request over the statutory period for carrying out such requests, please proceed to complete **(1)** and **(2)** only, or otherwise get in touch about how I might narrow my request before refusing it. I am happy to reformulate questions if necessary to stay within the statutory time limit.

Thanks in advance for your assistance and guidance.

Response

Thank you for your recent request made under the Freedom of Information Act.

Please note that the laws regarding the wearing of face coverings are enforced by the Police rather than by transport operators, and we would therefore hold no recorded information in relation to your enquiry.

I would recommend redirecting your enquiry to [Merseyside Police](#) or to [British Transport Police](#).

I am sorry that we could not be of any further assistance on this occasion.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review, which should be addressed to:

Mrs Julie Watling
Legal, Democratic Services & Procurement Manager
Merseytravel
PO Box 1976

Liverpool
L69 3HN
julie.watling@merseytravel.gov.uk

If you are not content with the result of your internal review, you also have the right to complain to the Information Commissioner, whose address is

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire SK9 5AF
www.ico.org.uk

Follow-up Enquiry

Can you just explain how the enforcement is different from, say, Transport for London?

<https://www.standard.co.uk/news/crime/londoners-fined-face-mask-public-transport-coronavirus-b762550.html>

Follow-up Response

Thank you for your email.

Essentially, TfL have extra powers that other public transport authorities do not.

[The Health Protection \(Coronavirus, Wearing of Face Coverings on Public Transport\) \(England\) Regulations 2020](#) say at Reg.7(1) that 'an authorised person may issue a fixed penalty notice to anyone that the authorised person reasonably believes

- (a) has committed an offence under these Regulations, and
- (b) is aged 18 or over.'

At 7(11) the law states that 'In this regulation, "authorised person" means—

- (a) a constable,
- (b) a police community support officer,
- (c) in relation to a public transport service provided by TfL, a TfL officer, or
- (d) a person designated by the Secretary of State for the purposes of this regulation.'

Merseytravel has not received any special designation from the Secretary of State, so we have no powers to enforce the Regulations.

I hope that clarifies matters.