
STATUTORY INSTRUMENTS

2020 No. 129

The Health Protection (Coronavirus) Regulations 2020

Initial detention of persons to enable screening and assessment

- 14.**—(1) This regulation applies if a constable has reasonable grounds to suspect that—
- (a) a person (“P”) is, or may be, infected or contaminated with Coronavirus;
 - (b) there is a risk that P might infect or contaminate others; and
 - (c) it is necessary to direct, remove or detain P in the interests of P, for the protection of other persons or for the maintenance of public safety.
- (2) A constable may—
- (a) direct P to go immediately to a hospital or other suitable place specified in the direction for the purposes of screening, assessment and the imposition of any restrictions or requirements under regulation 5,
 - (b) remove P to a hospital or other suitable place for the purposes of the imposition of any restrictions or requirements under regulation 5; or
 - (c) if P is already at a hospital or other suitable place, keep P at that place or remove P to another hospital or other suitable place for the purposes of the imposition of any restrictions or requirements under regulation 5.
- (3) The power in paragraph (2) may be exercised where P is at any place.
- (4) For the purpose of exercising the power in paragraph (2), a constable may enter any place.
- (5) Before exercising the power in paragraph (2) the constable must—
- (a) so far as reasonably practicable, consult a registered public health consultant and have due regard to the views of the registered public health consultant and any information provided by the registered public health consultant in relation to P;
 - (b) have due regard to any guidance issued by Public Health England; and
 - (c) where consultation has not been carried out under sub-paragraph (a)—
 - (i) consult a registered public health consultant as soon as reasonably practicable after the power in paragraph (2) has been exercised; and
 - (ii) have due regard to the views of the registered public health consultant and any information provided by the registered public health consultant in relation to P.
- (6) A person removed to or kept in a hospital or other suitable place under this regulation may be detained there for a period not exceeding the permitted period of detention.
- (7) A constable or a registered public health consultant or a person authorised by either of them for the purposes of this paragraph, may, before the end of the permitted period of detention, take a person detained in a hospital or other suitable place to one or more other hospitals or other suitable places.
- (8) A person taken to a hospital or other suitable place under paragraph (7) may be detained there for a period ending no later than the permitted period of detention.

(9) A constable may use reasonable force, if necessary, in the exercise of a power under this regulation.

(10) In this regulation—

“the authorised extended period” means such further period as is specified in an authorisation under paragraph (11);

“the initial period” means the period of 24 hours beginning with—

- (a) in a case where the person is removed to a hospital or other suitable place, the time when the person arrives at that place, or
- (b) in a case where the person is kept at a hospital or other suitable place, the time when the constable decides to keep the person at that place; and

“the permitted period of detention” means the initial period of detention and the authorised extended period.

(11) A constable or registered public health consultant may, at any time before the expiry of the initial period, authorise the detention of a person for a further period not exceeding 24 hours (beginning immediately at the end of the initial period).

(12) An authorisation under paragraph (11) may be given only if the person giving the authorisation considers that the extension is necessary because it is not reasonably practicable for the imposition of any restrictions or requirements under regulation 5 to be completed before the end of the initial period.