

What constitutes a reasonable excuse to leave the place where you live

Regulation 6 of the **The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020** states no person may leave the place where they live without a reasonable excuse. This does not apply to homeless people (Reg. 6(4)). CPS have produced a really useful practical guide as to what might and what might not constitute a ‘reasonable excuse’. They have kindly allowed us to reproduce this to help officers, however each case still needs to be considered based on the individual facts as they present themselves.

Some public statements made soon after the adoption of the Regulations suggested that members of the public could only leave their homes if ‘essential’ to do so. However, this is not the test set out in the Regulations and there is no legal basis for a requirement in those terms to be imposed. The applicable threshold is that of ‘reasonable excuse’.

This list is not exhaustive and officers are required to use their discretion and judgement in deciding what is and what isn’t ‘reasonable’ in the circumstances.

	Likely to be reasonable	Not likely to be reasonable	Comments
Necessities	Buying several days’ worth of food, including luxury items and alcohol.		There is no need for all a person’s shopping to be basic food supplies; the purchase of snacks and luxuries is still permitted. In general terms, a person has a reasonable excuse to visit the shops which remain open to customers under the Regulations. If a person is already out of the address with good reason, then it would not be proportionate to prevent the person from buying non-essential items. Food could include hot food from takeaways. ‘Obtain’ includes purchasing, but could include collecting or sharing items, provided this is genuine.
	Buying a small amount of a staple item or necessity (eg, a newspaper, pet food, a loaf of bread or pint of milk).		
	Collecting surplus basic food items from a friend.		
	Buying tools and supplies to repair a fence panel damaged in recent bad weather.	Buying paint and brushes, simply to redecorate a kitchen.	The regulations specify maintenance and upkeep. This does not extend to renovation and improvements.

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Exercise	Including: going for a run or cycle or practicing yoga. Walking in the countryside or in cities. Attending an allotment.		Exercise can come in many forms, including walks. Exercise must involve some movement, but it is acceptable for a person to stop for a break in exercise.
	Driving to countryside and walking (where far more time is spent walking than driving).	Driving for a prolonged period with only brief exercise.	However, a very short period of 'exercise' to excuse a long period of inactivity may mean that the person is not engaged in 'exercise' but in fact something else.
	Stopping to rest or to eat lunch while on a long walk.	A short walk to a park bench, when the person remains seated for a much longer period.	It is lawful to drive for exercise.
	Exercising more than once per day - the only relevant consideration is whether repeated exercise on the same day can be considered a 'reasonable excuse' for leaving home.		
Work	A key worker or other essential worker travelling to work where it is not reasonably possible to work from home.		There is no requirement to be a key worker or essential worker in order to travel to work. Anyone can travel to work if it is not reasonably possible to work from home.
	A non-key worker or non-essential key worker travelling to work where it is not reasonably possible to work from home.	A person who can work from home choosing to work in a local park.	A request from an employer to attend the work place should be sufficient. But there is no requirement for the person to have any written proof of a need to go to work or volunteering. Police should not ask for ID documents or any other kind of document.
	A person delivering food packages to vulnerable people.	A person knocking on doors offering to do cash-in-hand work.	There is no requirement for volunteers to work for a registered organisation or charity. There is no requirement for the volunteering to be related to COVID-19.

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Other reasons	Taking an animal for treatment.	Visiting a vet’s surgery in person to renew a prescription (where this could be done over the phone).	Vet’s surgeries remain open and so taking an animal for emergency treatment would qualify as a good reason (as the owner has a duty to preserve welfare). But visiting a vet’s surgery where a call would suffice would not be reasonable.
	Moving to a friend’s address for several days to allow a ‘cooling-off’ following arguments at home.		The Regulations allow people to move house. This means that individuals can move between households. But this should be a genuine move (ie, measured in days, not hours).
	Providing support to vulnerable people.	Visiting a friend in their address or meeting in public to socialise.	Social visits are not generally a good reason to leave home. However, there may be exceptional circumstances for a person to visit another (eg, a hospital authorising a particular person to visit).