

**COUNCIL**

**28 October 2025**

**QUESTION ASKED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5**

The following question has been asked pursuant to Council Procedure Rule No 5.5 by Councillor Parry:

‘Why will Kingdom not release the filmed footage of offences such as spitting when their fixed penalty notices are challenged? With it surely containing proof of the offence, would it not make sense to make this available when residents wish to challenge a FPN?’

**Response of the Cabinet Member for Finance, Waste and Technical Services (Cllr M Coffin):**

An authorised officer, including a member of staff from Kingdom, usually witnesses an alleged offence and would then issue a witness statement to be used as admissible evidence, should a prosecution case be taken to the magistrate’s courts. A Fixed Penalty Notice (FPN) is issued to offer the offender the opportunity of discharging any liability to conviction for the offence, by payment of the fixed penalty.

Until the payment is made and the liability is discharged, it is still an active criminal investigation and further enforcement action may be taken, i.e. prosecution. There is no formal appeal procedure at this stage and the alleged offender may decide not to pay the FPN and defend themselves in court.

Whilst a littering or fly tipping case is ongoing which may lead to further enforcement action, including potential prosecution, any footage captured is considered potential evidence in the case and would only be released to the alleged offender’s defence team should the prosecution case go to Magistrates Court, in accordance with the Investigatory Powers Act 2016.

Regarding the use of the Kingdom Officers’ body-worn cameras, these can only be activated once an offence has been witnessed, to capture the communication between the officer and the alleged offender, as they are not allowed to have their cameras filming constantly throughout their patrols due to the general data protection regulation.