

UK Courts Likely to Overturn Fines Slapped on Businesses that Defied COVID Mandates

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Courts in the United Kingdom [are likely to overturn fines imposed on businesses](#) that defied Wuhan coronavirus (COVID-19) lockdown mandates.

Attorney Lucinda Nicholls [made this claim](#), citing 25 cases she handled that challenged these penalties. Of this total, 23 have had their fines revoked by magistrates, while two are being appealed. She added that more than 800 businesses have “strong cases” to have their fines overturned.

“The biggest issue is enforcement of the legislation,” said the criminal defense attorney for London law firm Nicholls and Nicholls.

“It’s been quite easy to recognize where there have been problems in the enforcement and prosecution of these types of cases. [But even after] highlighting such significant problems, prosecutors are still insistent on proceeding – and it makes no sense. We’ve been in scenarios where costs have just added and added, and we’ve written to the local authority saying ‘Why are you doing this? This is completely unnecessary.’”

The challenges to the COVID-19 fines have been attributed to law enforcement being unaware of [exemptions to lockdown regulations](#) that are complex yet ever-changing. Gyms and fitness centers were among those businesses that were apt to have their fines revoked, according to Nicholls.

“If you had a body mass index of more than 40, under the regulations – you were entitled to go to a gym for exercise. Therefore, gyms were allowed to be open for that category of customer,” she explained.

The lawyer based her claim on a precedent – that of entrepreneur Alex Lowndes. He and his wife Amber, owners of Gainz Fitness & Strength in Bedford, were issued a prohibition notice

by the area's borough council for staying open. The Lowndeses were eventually fined £10,000 (\$12,220), but this was recently overturned by a magistrate. (Related: [Australian state to seize savings, homes, driver's licenses of people with unpaid COVID fines.](#))

Alex dubbed the charge against him as "flimsy" and "inept," and also lobbed criticism at the local prosecutors. "It was a blood lust in the end. They should have looked at it even six months in and said 'This is a waste of time.' But they kept going and going. They brought in an external [lawyer]; kept spending money; [used] resources, time [and] everything else – and it just got out of control," he commented.

Gyms were among the first targets of COVID medical tyranny

A spokesperson for the borough council defended the move to sue the gym owners.

"We brought this case because there was ample and sufficient evidence for a successful prosecution following the non-payment of a fixed penalty notice and because it was in the public interest to prosecute, and the judge stated that they found no fault with how the council brought the prosecution." said the spokesperson.

Alex also stood by his decision to keep his gym open. He explained: "It became clear [that COVID-19] was an airborne disease [that] you're more prone to if you're unhealthy, overweight, etc. – and gyms contributed a very small amount to the spread of the virus."

"From a mental health point, gyms are really important. People depend on them and I think people underestimate that."

The Bedford gym owner concluded that contesting the fine in court "was based on principle," adding: "We should never have shut [down] in the first place, and we stand by what we did at the time.

The case of Gainz Fitness & Strength was similar to that of Atilis Gym in Bellmawr, New Jersey. The fitness center first made the news when [it chose to reopen in May 2020](#), amid a COVID-19 lockdown put in place by Gov. Phil Murphy. Gym owners Ian Smith and Frank Trumbetti were present at the gym, and even accommodated law enforcement officers that informed them of Murphy's lockdown orders.

After two years of back-and-forth discussions with authorities in the Garden State, which even reached the point of Atilis Gym's [business license being revoked](#), Smith and Trumbetti's decision to stand their ground and keep the gym open paid off. Borough authorities eventually reinstated the gym's license, with Smith remarking that the move serves as a testament that "nothing would make us kneel."

"They took our business license [and] our ability to pursue the American Dream. [But] we were right all along. To date, [we have had] 391,683 visits to our facility and people got healthier, happier and better," Smith wrote in [an April 6 post on the gym's website](#).

[Resist.news](#) has more stories about gyms and other establishments defying COVID-19 lockdowns.

Watch Lou Uridel, owner of MetroFlex Gym in Oceanside, California, talking about [businesses struggling with COVID-19 restrictions](#).

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