

**Status:** This version of this schedule contains provisions that are prospective.  
**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

<sup>F1</sup>SCHEDULE 4 Section 38

[<sup>F1</sup>POWERS EXERCISABLE BY CONTRACTED-OUT STAFF]

Textual Amendments

**F1** Sch. 4 heading substituted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 5\(2\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))

Modifications etc. (not altering text)

**C1** Sch. 4 applied (with modifications) (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), [ss. 28\(1\)\(g\)\(2\)](#), 120 (with s. 72); S.I. 2004/1572, [art. 3\(k\)](#)

<sup>F2</sup>PART 1

COMMUNITY SUPPORT OFFICERS

Textual Amendments

**F2** Sch. 4 Pt. 1 omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 5\(3\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))

*Powers to issue fixed penalty notices*

- 1 .....
- 1ZA .....

*Power to issue community protection notices*

- 1ZB .....

*Power to require name and address*

- 1A .....

*Power to detain etc.*

- 2 .....

*Status: This version of this schedule contains provisions that are prospective.*

**Changes to legislation:** *Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

*Powers to search individuals and to seize and retain items*

2A .....

*General power of seizure*

2B .....

*Power to require name and address of person acting in an anti-social manner*

3 .....

*Power to require name and address: road traffic offences*

3A .....

*Power to require name and address etc: charity collectors*

3B .....

*Power to use reasonable force to detain person*

4 .....

4ZA .....

4ZB .....

*Power to disperse groups and remove young persons to their place of residence*

4A .....

4AB .....

*Power to disperse groups and remove young persons to their place of residence*

4B .....

*Power to remove truants and excluded pupils to designated premises etc.*

4C .....

*Alcohol consumption in restricted areas*

5 .....

*Power to serve closure notice for licensed premises persistently selling to children*

5A .....

*Confiscation of alcohol*

6 .....

---

**Status:** This version of this schedule contains provisions that are prospective.

**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

*Confiscation of tobacco etc.*

7 . . . . .

*Search and seizure powers: alcohol and tobacco*

7A . . . . .

*Powers to seize and detain: controlled drugs*

7B . . . . .

*Powers to seize and detain: controlled drugs*

7C . . . . .

*Park Trading offences*

7D . . . . .

*Powers to seize and detain: psychoactive substances*

7E . . . . .

7F . . . . .

*Entry to save life or limb or prevent serious damage to property*

8 . . . . .

*Entry to investigate licensing offences*

8A . . . . .

*Seizure of vehicles used to cause alarm etc.*

9 . . . . .

*Abandoned vehicles*

10 . . . . .

*Power to stop vehicle for testing*

11 . . . . .

*Power to stop cycles*

11A . . . . .

*Power to control traffic for purposes other than escorting a load of exceptional dimensions*

11B . . . . .

*Status: This version of this schedule contains provisions that are prospective.*  
**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

*Power to control traffic for purposes of escorting a load of exceptional dimensions*

12 .....

*Carrying out of road checks*

13 .....

*Power to place traffic signs*

13A .....

*Cordoned areas*

14 .....

*Power to stop and search vehicles etc. in authorised areas*

15 .....

*Photographing of persons arrested, detained or given fixed penalty notices*

15ZA .....

*Power to modify paragraph 1(2A)*

15A .....

**F3PART 2**

INVESTIGATING OFFICERS

**Textual Amendments**

**F3** Sch. 4 Pt. 2 omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 5\(3\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))

*Search warrants*

16 .....

16A .....

16B .....

*Access to excluded and special procedure material*

17 .....

---

**Status:** This version of this schedule contains provisions that are prospective.

**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

*Entry and search after arrest*

18 .....

*Entry and search for evidence of nationality after arrest*

18A .....

*General power of seizure*

19 .....

*Access and copying in the case of things seized by constables*

20 .....

*Arrest at a police station for another offence*

21 .....

*Power to transfer persons into custody of investigating officers*

22 .....

*Powers in respect of detained persons*

22A .....

*Power to require arrested person to account for certain matters*

23 .....

*Extended powers of seizure*

24 .....

*Persons accompanying investigating officers*

24A .....

**PART 3**

**DETENTION OFFICERS**

*Attendance at police station for fingerprinting*

25 Where a designation applies this paragraph to any person, he shall, in respect of police stations in the relevant police area, have the power of a constable under [F<sup>4</sup>Schedule 2A to the 1984 Act (fingerprinting and samples: power to require attendance at a police station) ] to require a person to attend a police station in order to have his fingerprints taken.

*Status: This version of this schedule contains provisions that are prospective.*

*Changes to legislation: Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### Textual Amendments

- F4** Words in Sch. 4 para. 25 substituted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\), ss. 6\(4\)\(a\), 59\(1\)](#); [S.I. 2011/414, art. 2\(e\)](#)

#### *Non-intimate searches of detained persons*

- 26 (1) Where a designation applies this paragraph to any person, he shall have the powers of a constable under section 54 of the 1984 Act (non-intimate searches of detained persons)—
- (a) to carry out a search under that section of any person at a police station in the relevant police area or of any other person otherwise in police detention in that area; and
  - (b) to seize or retain, or cause to be seized or retained, anything found on such a search.
- (2) Subsections (6C) and (9) of section 54 of that Act (restrictions on power to seize personal effects and searches to be carried out by a member of the same sex) shall apply to the exercise by a person to whom this paragraph is applied of any power exercisable by virtue of this paragraph as they apply to the exercise of the power in question by a constable.

#### *Searches and examinations to ascertain identity*

- 27 Where a designation applies this paragraph to any person, he shall have the powers of a constable under section 54A of the 1984 Act (searches and examinations to ascertain identity)—
- (a) to carry out a search or examination at any police station in the relevant police area; and
  - (b) to take a photograph at any such police station of an identifying mark.

#### *Searches of persons answering to live link bail*

- [<sup>F5</sup>27A(1) Where a designation applies this paragraph to any person, that person has the powers of a constable under section 54B of the 1984 Act (searches of persons answering to live link bail)—
- (a) to carry out a search of any person attending a police station in the relevant police area; and
  - (b) to seize or retain articles found on such a search.
- (2) Anything seized by a person under the power conferred by sub-paragraph (1) must be delivered to a constable as soon as practicable and in any case before the person from whom the thing was seized leaves the police station.]

#### Textual Amendments

- F5** Sch. 4 para. 27A and cross-heading inserted (14.12.2009 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\), ss. 108\(3\), 182\(5\)](#) (with [s. 180](#)); [S.I. 2009/3253, art. 3\(1\)\(c\)](#); [S.I. 2011/2148, art. 2](#); [S.I. 2012/2374, art. 3\(c\)](#)

*Status:* This version of this schedule contains provisions that are prospective.

**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### *Intimate searches of detained persons*

- 28 (1) Where a designation applies this paragraph to any person, he shall have the powers of a constable by virtue of section 55(6) of the 1984 Act (intimate searches) to carry out an intimate search of a person at any police station in the relevant police area.
- (2) Subsection (7) of section 55 of that Act (no intimate search to be carried out by a constable of the opposite sex) shall apply to the exercise by a person to whom this paragraph applies of any power exercisable by virtue of this paragraph as it applies to the exercise of the power in question by a constable.

### *Fingerprinting without consent*

- 29 Where a designation applies this paragraph to any person—
- (a) he shall have, at any police station in the relevant police area, the power of a constable under section 61 of the 1984 Act (fingerprinting) to take fingerprints without the appropriate consent; and
  - (b) the requirement by virtue of subsection (7A)(a) of that section that a person must be informed by an officer that his fingerprints may be the subject of a speculative search shall be capable of being discharged, in the case of a person at such a station, by his being so informed by the person to whom this paragraph applies.

### *Warnings about intimate samples*

- 30 Where a designation applies this paragraph to any person, the requirement by virtue of [F6section 62(5)(c)] of the 1984 Act (intimate samples) that a person must be informed by an officer that a sample taken from him may be the subject of a speculative search shall be capable of being discharged, in the case of a person in a police station in the relevant police area, by his being so informed by the person to whom this paragraph applies.

#### **Textual Amendments**

- F6** Words in Sch. 4 para. 30 substituted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), ss. [4\(6\)](#), [59\(1\)](#); [S.I. 2011/414](#), art. [2\(b\)](#)

### *Non-intimate samples*

- 31 Where a designation applies this paragraph to any person—
- (a) he shall have the power of a constable under section 63 of the 1984 Act (non-intimate samples), in the case of a person in a police station in the relevant police area, to take a non-intimate sample without the appropriate consent;
  - (b) the requirement by virtue of subsection (6) of that section (information about authorisation) that a person must be informed by an officer of the matters mentioned in that subsection shall be capable of being discharged, in the case of an authorisation in relation to a person in a police station in the relevant police area, by his being so informed by the person to whom this paragraph applies; and
  - (c) the requirement by virtue of subsection (8B)(a) of that section that a person must be informed by an officer that a sample taken from him may be the

*Status: This version of this schedule contains provisions that are prospective.*

*Changes to legislation: Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

subject of a speculative search shall be capable of being discharged, in the case of a person in such a police station, by his being so informed by the person to whom this paragraph applies.

*Attendance at police station for the taking of a sample*

- 32 Where a designation applies this paragraph to any person, he shall, as respects any police station in the relevant police area, have the power of a constable under [<sup>F7</sup>Schedule 2A to the 1984 Act (fingerprinting and samples: power to require attendance at a police station) ] to require a person to attend a police station in order to have a sample taken.

**Textual Amendments**

- F7** Words in Sch. 4 para. 32 substituted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 6(4)(b)**, 59(1); [S.I. 2011/414](#), art. 2(e)

*Photographing persons in police detention*

- 33 Where a designation applies this paragraph to any person, he shall, at police stations in the relevant police area, have the power of a constable under section 64A of the 1984 Act (photographing of suspects etc.) to take a photograph of a person detained at a police station.

*Taking of impressions of footwear*

- [<sup>F8</sup>33A Where a designation applies this paragraph to any person—
- (a) he shall, at any police station in the relevant police area, have the powers of a constable under section 61A of the 1984 Act (impressions of footwear) to take impressions of a person's footwear without the appropriate consent; and
  - (b) the requirement by virtue of section 61A(5)(a) of the 1984 Act that a person must be informed by an officer that an impression of his footwear may be the subject of a speculative search shall be capable of being discharged, in the case of a person at such a station, by his being so informed by the person to whom this paragraph applies.]

**Textual Amendments**

- F8** Sch. 4 para. 33A inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **ss. 122, 178, Sch. 8 para. 16**; [S.I. 2005/3495](#), **art. 2(1)(q)(r)**

*Powers in respect of detained persons*

- [<sup>F9</sup>33B Where a designation applies this paragraph to any person, he shall be under a duty, when in the course of his employment he is present at a police station—
- (a) to keep under control any person detained at the police station and for whom he is for the time being responsible;
  - (b) to assist any officer or other designated person to keep any other person detained at the police station under control; and



*Status: This version of this schedule contains provisions that are prospective.*

**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (c) to prevent the escape of any such person as is mentioned in paragraph (a) or (b),  
and for those purposes shall be entitled to use reasonable force.

#### Textual Amendments

**F9** Sch. 4 paras. 33B, 33C inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 9 para. 7](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(j\)](#)

- 33C Where a designation applies this paragraph to any person, he shall be entitled to use reasonable force when—
- (a) securing, or assisting an officer or another designated person to secure, the detention of a person detained at a police station in the relevant police area, or
  - (b) escorting within a police station in the relevant police area, or assisting an officer or another designated person to escort within such a police station, a person detained there.]

#### Textual Amendments

**F9** Sch. 4 paras. 33B, 33C inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 9 para. 7](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(j\)](#)

- [<sup>F10</sup>33D Where a designation applies this paragraph to any person, he is authorised to carry out the duty under—
- (a) section 55 of the Police and Criminal Evidence Act 1984 of informing a person who is to be subject to an intimate search under that section of the matters of which he is required to be informed in pursuance of subsection (3B) of that section;
  - (b) section 55A of that Act of informing a person who is to be subject to x-ray or ultrasound (as the case may be) under that section of the matters of which he is required to be informed in pursuance of subsection (3) of that section.]

#### Textual Amendments

**F10** Sch. 4 para. 33D inserted (1.1.2006) by [Drugs Act 2005 \(c. 17\)](#), ss. [5\(2\)\(a\)](#), 24; S.I. 2005/3053, [art. 3\(c\)](#)

## PART 4

### ESCORT OFFICERS

#### *Power to take an arrested person to a police station*

- 34 (1) Where a designation applies this paragraph to any person—
- (a) the persons who, in the case of a person arrested by a constable in the relevant police area, are authorised for the purposes of [<sup>F11</sup>subsection (1A) of section 30] of the 1984 Act (procedure on arrest of person elsewhere than at a police station) to take the person arrested to a police station in that area shall include that person;

*Status: This version of this schedule contains provisions that are prospective.*

**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) that section shall have effect in relation to the exercise by that person of the power conferred by virtue of paragraph (a) as if the references to a constable in subsections (3), (4)(a) and (10) (but not the references in subsections (5) to (9)) included references to that person; and
  - (c) a person who is taking another person to a police station in exercise of the power conferred by virtue of paragraph (a)—
    - (i) shall be treated for all purposes as having that person in his lawful custody;
    - (ii) shall be under a duty [<sup>F12</sup>to keep the person under control and] to prevent his escape; and
    - (iii) shall be entitled to use reasonable force to keep that person in his charge [<sup>F13</sup>and under his control] .
  - [<sup>F14</sup>(d) a person who has taken another person to a police station in exercise of the power conferred by virtue of paragraph (a)—
    - (i) shall be under a duty to remain at the police station until he has transferred control of the other person to the custody officer at the police station;
    - (ii) until he has so transferred control of the other person, shall be treated for all purposes as having that person in his lawful custody;
    - (iii) for so long as he is at the police station or in its immediate vicinity in compliance with, or having complied with, his duty under sub-paragraph (i), shall be under a duty to prevent the escape of the other person and to assist in keeping him under control; and
    - (iv) shall be entitled to use reasonable force for the purpose of complying with his duty under sub-paragraph (iii).]
- (2) Without prejudice to any [<sup>F15</sup>application of] paragraph 26, where a person has another in his lawful custody by virtue of sub-paragraph (1) of this paragraph—
- (a) he shall have the same powers under subsections (6A) and (6B) of section 54 of the 1984 Act (non-intimate searches) as a constable has in the case of a person in police detention—
    - (i) to carry out a search of the other person; and
    - (ii) to seize or retain, or cause to be seized or retained, anything found on such a search;
  - (b) subsections (6C) and (9) of that section (restrictions on power to seize personal effects and searches to be carried out by a member of the same sex) shall apply to the exercise by a person to whom this paragraph is applied of any power exercisable by virtue of this sub-paragraph as they apply to the exercise of the power in question by a constable.

#### Textual Amendments

- F11** Words in Sch. 4 para. 34(1)(a) substituted (20.1.2004) by [Criminal Justice Act 2003 \(c. 44\), ss. 12, 336, Sch. 1 para. 20; S.I. 2004/81, art. 2\(1\)\(2\)\(a\)](#)
- F12** Words in Sch. 4 para. 34(1)(c)(ii) inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\), ss. 122, 178, Sch. 9 para. 8\(2\)\(a\); S.I. 2005/1521, art. 3\(1\)\(h\)\(j\)](#)
- F13** Words in Sch. 4 para. 34(1)(c)(iii) added (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\), ss. 122, 178, Sch. 9 para. 8\(2\)\(b\); S.I. 2005/1521, art. 3\(1\)\(h\)\(j\)](#)
- F14** Sch. 4 para. 34(1)(d) added (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\), ss. 122, 178, Sch. 9 para. 8\(3\); S.I. 2005/1521, art. 3\(1\)\(h\)\(j\)](#)

*Status: This version of this schedule contains provisions that are prospective.*

**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F15** Words in Sch. 4 para. 34(2) substituted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\), ss. 9, 53, Sch. 5 para. 5\(10\); S.I. 2007/3203, art. 2\(c\)](#)

### *Escort of persons in police detention*

- 35 (1) Where a designation applies this paragraph to any person, that person may be authorised by the custody officer for any designated police station in the relevant police area to escort a person in police detention—
- (a) from that police station to another police station in that or any other police area; or
  - (b) from that police station to any other place specified by the custody officer and then either back to that police station or on to another police station in that area or in another police area.
- (2) Where a designation applies this paragraph to any person, that person may be authorised by the custody officer for any designated police station outside the relevant police area to escort a person in police detention—
- (a) from that police station to a designated police station in that area; or
  - (b) from that police station to any place in that area specified by the custody officer and either back to that police station or on to another police station (whether in that area or elsewhere).
- (3) A person who is escorting another in accordance with an authorisation under sub-paragraph (1) or (2)—
- (a) shall be treated for all purposes as having that person in his lawful custody;
  - (b) shall be under a duty [<sup>F16</sup>to keep the person under control and] to prevent his escape; and
  - (c) shall be entitled to use reasonable force to keep that person in his charge [<sup>F17</sup>and under his control] .
- [<sup>F18</sup>(3A) A person who has escorted another person to a police station or other place in accordance with an authorisation under sub-paragraph (1) or (2) —
- (a) shall be under a duty to remain at the police station or other place until he has transferred control of the other person to a custody officer or other responsible person there;
  - (b) until he has so transferred control of the other person, shall be treated for all purposes as having that person in his lawful custody;
  - (c) for so long as he is at the police station or other place, or in its immediate vicinity, in compliance with, or having complied with, his duty under paragraph (a), shall be under a duty to prevent the escape of the other person and to assist in keeping him under control; and
  - (d) shall be entitled to use reasonable force for the purpose of complying with his duty under paragraph (c).]

(4) Without prejudice to any [<sup>F19</sup>application of] paragraph 26, where a person has another in his lawful custody by virtue of sub-paragraph (3) of this paragraph—

    - (a) he shall have the same powers under subsections (6A) and (6B) of section 54 the 1984 Act (non-intimate searches) as a constable has in the case of a person in police detention—
      - (i) to carry out a search of the other person; and

*Status: This version of this schedule contains provisions that are prospective.*

**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (ii) to seize or retain, or cause to be seized or retained, anything found on such a search;
- (b) subsections (6C) and (9) of that section (restrictions on power to seize personal effects and searches to be carried out by a member of the same sex) shall apply to the exercise by a person to whom this paragraph is applied of any power exercisable by virtue of this sub-paragraph as they apply to the exercise of the power in question by a constable.
- (5) Section 39(2) of that Act (responsibilities of custody officer transferred to escort) shall have effect where the custody officer for any police station transfers or permits the transfer of any person to the custody of a person who by virtue of this paragraph has lawful custody outside the police station of the person transferred as it would apply if the person to whom this paragraph applies were a police officer.

#### Textual Amendments

- F16** Words in Sch. 4 para. 35(3)(b) inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 9 para. 9\(2\)\(a\)](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(j\)](#)
- F17** Words in Sch. 4 para. 35(3)(c) added (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 9 para. 9\(2\)\(b\)](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(j\)](#)
- F18** Sch. 4 para. 35(3A) inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 9 para. 9\(3\)](#); S.I. 2005/1521, [art. 3\(1\)\(h\)\(j\)](#)
- F19** Words in Sch. 4 para. 35(4) substituted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 9, 53, [Sch. 5 para. 5\(10\)](#); S.I. 2007/3203, [art. 2\(c\)](#)

### F20[F21]PART 4A]

#### Textual Amendments

- F20** Sch. 4 Pt. 4A repealed (12.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116(6)(b), [Sch. 7 para. 125\(3\)\(a\)](#), [Sch. 8](#)
- F21** Sch. 4 Pt. 4A inserted (prosp.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 120(5), 178

#### PROSPECTIVE

#### *Exercise of functions of custody officers*

- 35A (1) Where a designation applies this paragraph to any person, he may (subject to sub-paragraph (2)) perform all the functions of a custody officer under the 1984 Act (except those under section 45A(4) of that Act) and under any other enactment which confers functions on such a custody officer.
- (2) But in relation to a police station designated under section 35(1) of the 1984 Act, the person must first also be appointed a custody officer for that police station under section 36(2) of that Act.
- (3) A person performing the functions of a custody officer by virtue of a designation under this paragraph (together with, if appropriate, an appointment as such) shall have all the powers and duties of a custody officer.

*Status: This version of this schedule contains provisions that are prospective.*

**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) Except in sections 36 and 45A(4) of the 1984 Act, references in any enactment to a custody officer within the meaning of that Act include references to a person performing the functions of a custody officer by virtue of a designation under this paragraph.

- 35B Where a designation applies this paragraph to any person, he shall be under a duty, when in the course of his employment he is present at a police station—
- (a) to keep under control any person detained at the police station and for whom he is for the time being responsible;
  - (b) to assist any officer or other designated person to keep any other person detained at the police station under control; and
  - (c) to prevent the escape of any such person as is mentioned in paragraph (a) or (b),
- and for those purposes shall be entitled to use reasonable force.

- 35C Where a designation applies this paragraph to any person, he is authorised to carry out the duty under—
- (a) section 55 of the Police and Criminal Evidence Act 1984 of informing a person who is to be subject to an intimate search under that section of the matters of which he is required to be informed in pursuance of subsection (3B) of that section;
  - (b) section 55A of that Act of informing a person who is to be subject to x-ray or ultrasound (as the case may be) under that section of the matters of which he is required to be informed in pursuance of subsection (3) of that section.

## <sup>F1</sup>PART 5

### INTERPRETATION OF SCHEDULE

- 36 (1) In this Schedule “the relevant police area”—
- (a) in relation to a [<sup>F22</sup>person designated] under [<sup>F23</sup>section 39] by the chief officer of any police force, means the police area for which that force is maintained; <sup>F24</sup> . . .
  - (b) <sup>F24</sup> . . .
- <sup>F25</sup> [<sup>F26</sup>(2) . . .
- <sup>F25</sup>(2A) . . .
- (3) In Parts 3 and 4 of this Schedule “a designation” means a designation under [<sup>F27</sup>section 39].]
- <sup>F28</sup>(3A) . . .
- (4) Expressions used in this Schedule and in the 1984 Act have the same meanings in this Schedule as in that Act.

*Status: This version of this schedule contains provisions that are prospective.*

**Changes to legislation:** Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Textual Amendments

- F22** Words in Sch. 4 para. 36(1)(a) substituted (1.12.2007) by [Police and Justice Act 2006 \(c. 48\), ss. 9, 53, Sch. 5 para. 5\(12\); S.I. 2007/3203, art. 2\(c\)](#)
- F23** Words in Sch. 4 para. 36(1)(a) substituted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\), s. 183\(1\)\(5\)\(e\), Sch. 12 para. 5\(4\)\(a\); S.I. 2017/1139, reg. 2\(k\)](#) (as amended by [S.I. 2017/1162, reg. 2](#))
- F24** Sch. 4 para. 36(1)(b) and preceding word repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\), ss. 59, 174, 178, Sch. 4 para. 190, Sch. 17 Pt. 2; S.I. 2006/378, art. 4\(1\), Sch. paras. 10, 12, 13\(oo\)](#) (subject to [art. 4\(2\)-\(7\)](#))
- F25** Sch. 4 para. 36(2)(2A) omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\), s. 183\(1\)\(5\)\(e\), Sch. 12 para. 5\(4\)\(b\); S.I. 2017/1139, reg. 2\(k\)](#) (as amended by [S.I. 2017/1162, reg. 2](#))
- F26** Sch. 4 para. 36(2)(2A)(3) substituted for Sch. 4 para. 36(2)(3) (1.12.2007) by [Police and Justice Act 2006 \(c. 48\), ss. 9, 53, Sch. 5 para. 5\(13\); S.I. 2007/3203, art. 2\(c\)](#)
- F27** Words in Sch. 4 para. 36(3) substituted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\), s. 183\(1\)\(5\)\(e\), Sch. 12 para. 5\(4\)\(c\); S.I. 2017/1139, reg. 2\(k\)](#) (as amended by [S.I. 2017/1162, reg. 2](#))
- F28** Sch. 4 para. 36(3A) omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\), s. 183\(1\)\(5\)\(e\), Sch. 12 para. 5\(4\)\(d\); S.I. 2017/1139, reg. 2\(k\)](#) (as amended by [S.I. 2017/1162, reg. 2](#))

**Status:**

This version of this schedule contains provisions that are prospective.

**Changes to legislation:**

Police Reform Act 2002, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 4 para. 35B and cross-heading inserted by [2005 c. 15 Sch. 9 para. 10](#) (This amendment is not applied to legislation.go.uk. Sch. 9 para. 10 repealed (12.1.2009) by 2009 c. 26, s. 116(6)(b), Sch. 8 Pt. 13)
- Sch. 4 Pt. 4A inserted by [2005 c. 15 s. 120\(5\)](#) (This amendment is not applied to legislation.go.uk. S. 120 repealed (12.1.2009) by 2009 c. 26, s. 116(6)(b), Sch. 8 Pt. 13)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 26F inserted by [2023 c. 41 Sch. 13 para. 6](#)
- s. 28A(6A)(6B) inserted by [2023 c. 41 s. 45\(2\)](#)