



Police (Northern Ireland) Act 2003

2003 CHAPTER 6

PART 2

POLICE POWERS

Designation of civilians

31 Police powers for designated contracted-out staff

- (1) This section applies if the Board has entered into a contract with a person (“the contractor”) for the provision of services relating to the detention or escort of persons who have been arrested or are otherwise in custody.
- (2) The Chief Constable may designate an employee of the contractor as an officer of either or both of these descriptions—
 - (a) detention officer;
 - (b) escort officer.
- (3) The Chief Constable may designate a person under this section only if he is satisfied that these requirements are met—
 - (a) the person is a suitable person to carry out the functions for the purposes of which he is to be designated;
 - (b) the person is capable of effectively carrying out those functions;
 - (c) the person has received adequate training in the carrying out of those functions and in the exercise of the powers and performance of the duties to be conferred or imposed on him by his designation;
 - (d) the contractor is a fit and proper person to supervise the carrying out of the functions for the purposes of which the person is to be designated.
- (4) A person designated under this section has—
 - (a) the powers conferred on him by his designation;
 - (b) the duties imposed on him by his designation.

Status: This is the original version (as it was originally enacted).

- (5) A designation under this section may confer powers or impose duties on a person only by applying the powers or duties to him.
- (6) The powers and duties that may be applied to a person designated under this section by his designation are any or all of those specified in the applicable Part of Schedule 2.
- (7) The applicable Part of Schedule 2 is—
 - (a) Part 2, in the case of a person designated under this section as a detention officer;
 - (b) Part 3, in the case of a person designated under this section as an escort officer.
- (8) If a power is conferred or a duty imposed on a person designated under this section by his designation—
 - (a) the power or duty does not authorise or require him to engage in any conduct otherwise than in the course of his employment as an employee of the contractor;
 - (b) the power may be conferred or the duty imposed subject to restrictions or conditions specified in the designation.
- (9) Subsection (10) applies in relation to the exercise of a power by a person designated under this section in reliance on his designation if the power is one which, if exercised by a police officer, includes or is supplemented by a power to use reasonable force.
- (10) The designated person has the same entitlement to use reasonable force as a police officer would have if the power were exercised by him.
- (11) A designation under this section, unless it is previously withdrawn or ceases to have effect under subsection (12), shall remain in force for such period as may be specified in the designation; but it may be renewed at any time with effect from the time when it would otherwise expire.
- (12) A designation under this section shall cease to have effect—
 - (a) if the designated person ceases to be an employee of the contractor; or
 - (b) if the contract between the Board and the contractor is terminated or expires.