

Changes to legislation: Criminal Justice and Public Order Act 1994, Cross Heading: Powers and duties of custody officers acting in pursuance of escort arrangements is up to date with all changes known to be in force on or before 19 July 2023. 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

SCHEDULE 1

ESCORT ARRANGEMENTS: ENGLAND AND WALES

Powers and duties of custody officers acting in pursuance of escort arrangements

- 3 (1) A custody officer acting in pursuance of escort arrangements shall have the following powers, namely—
- (a) to search in accordance with rules made by the Secretary of State any [^{F1}detained person] for whose delivery or custody he is responsible in pursuance of the arrangements; and
 - (b) to search any other person who is in or is seeking to enter any place where any such [^{F1}detained person] is or is to be held, and any article in the possession of such a person.
- (2) The powers conferred by sub-paragraph (1)(b) above to search a person shall not be construed as authorising a custody officer to require a person to remove any of his clothing other than an outer coat, headgear, jacket or gloves.
- (3) A custody officer shall have the following duties as respects [^{F2}detained persons] for whose delivery or custody he is responsible in pursuance of escort arrangements, namely—
- (a) to prevent their escape from lawful custody;
 - (b) to prevent, or detect and report on, the commission or attempted commission by them of other unlawful acts;
 - (c) to ensure good order and discipline on their part;
 - (d) to attend to their wellbeing; and
 - (e) to give effect to any directions as to their treatment which are given by a court,
- and the Secretary of State may make rules with respect to the performance by custody officers of their duty under (d) above.
- (4) The powers conferred by sub-paragraph (1) above, and the powers arising by virtue of sub-paragraph (3) above, shall include power to use reasonable force where necessary.
- (5) The power to make rules under this paragraph shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Words in Sch. 1 para. 3(1)(a)(b) substituted (1.11.2007) by [Offender Management Act 2007 \(c. 21\)](#), ss. 39, 41(1), [Sch. 3 para. 26\(a\)](#); S.I. 2007/3001, [art. 2\(1\)\(r\)](#)
- F2** Words in Sch. 1 para. 3(3) substituted (1.11.2007) by [Offender Management Act 2007 \(c. 21\)](#), ss. 39, 41(1), [Sch. 3 para. 26\(b\)](#); S.I. 2007/3001, [art. 2\(1\)\(r\)](#)

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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. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)