

Status: Point in time view as at 07/03/2011.

Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 3. (See end of Document for details)

SCHEDULES

SCHEDULE 4

POWERS EXERCISABLE BY POLICE CIVILIANS

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\(k\)](#)

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 [F1Schedule 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.

Textual Amendments

- F1** 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.

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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

- [^{F2}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

- F2** Sch. 4 para. 27A inserted (in regard to specified local justice areas on 14.12.2009 and 3.10.2011) by Coroners and Justice Act 2009 (c. 25), ss. 108(3), 182, (with s. 180, Sch. 22); S.I. 2009/3253, art. 3; S.I. 2011/2148, art. 2

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.

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Warnings about intimate samples

- 30 Where a designation applies this paragraph to any person, the requirement by virtue of [^{F3}section 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

- F3** 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 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 [^{F4}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

- F4** 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

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1984 Act (photographing of suspects etc.) to take a photograph of a person detained at a police station.

Taking of impressions of footwear

- [^{F5}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

F5 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

- [^{F6}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
 - (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

F6 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.]

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Textual Amendments

F6 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)

- [^{F7}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

F7 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)

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