

*These notes refer to the Domestic Violence, Crime and Victims Act 2004 (c.28) which received Royal Assent on 15 November 2004*

# **DOMESTIC VIOLENCE, CRIME AND VICTIMS ACT 2004**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 2: Criminal Justice**

##### ***Section 27: Powers of authorised officers executing warrants***

103. This section inserts a new section 125BA into the Magistrates' Courts Act 1980, which provides for a new Schedule 4A (set out at [Schedule 4](#) to the Act). The new section and Schedule extend the powers of civilian enforcement officers and approved enforcement agencies when executing warrants issued by magistrates' courts in criminal proceedings. These authorised officers will have the power to enter premises in order to search for a person who is the subject of a warrant, or in order to seize goods in satisfaction of an unpaid fine. Where they take a person into custody they will have the power to search him for items that might be used to cause physical injury or to facilitate an escape. Authorised officers will be entitled to use reasonable force in exercising these powers. The powers are to be exercised only so far as it is reasonable to do so. They are intended to be equivalent to the powers available to a police officer when executing a warrant of arrest.