

## THE ROLE, POWERS AND DEPLOYMENT OF POLICE COMMUNITY SUPPORT OFFICERS.

PCSOs have very limited powers when compared with Police Officers, and have been trained to deal with specific incidents and tasks only. They have the right to decline to carry out tasks for which they have not been trained and which they assess as too risky or outside their terms of reference. It must be understood that, unlike police officers, there is no positive duty for PCSOs to intervene in an incident – they are civil staff and not police officers. Similarly, there is no expectation that they will engage in activities assessed as 'high risk'.

The Chief Constable has carefully considered the range of powers with which they have been delegated, and PCSOs are not expected to stray beyond the limited core role for which they have been trained, especially into situations where they potentially are in confrontation with members of the public.

PCSOs are equipped with passive personal protective equipment (i.e. body armour). Their training is confined to calming heated situations and defusing hostility. They are not trained in dealing with violence, including arrests. They have been trained to withdraw from such situations and to call for help from police colleagues. This does not mean that they cannot assist in such situations by gathering information such as witness details, assisting with traffic control, and by providing evidence for the prosecution of offenders.

PROPOSED LIST OF STANDARD POWERS FOR POLICE COMMUNITY SUPPORT OFFICERS	
ENVIROMENTAL POWERS	COMMENT
<b>Power to issue fixed penalty notices for littering:</b> Power of an authorised officer of a local authority to give a notice under <a href="#">section 88</a> of the Environmental Protection Act 1990 (fixed penalty notices in respect of litter).	Already designated to PCSOs in Kent and Medway
<b>Power to issue fixed penalty notices in respect of offences under dog control orders:</b> power of an authorised officer of a primary or secondary authority, within the meaning of section 59 of the Clean Neighbourhoods and Environment Act 2005, to give a notice under that section (fixed penalty notices in respect of offences under dog control orders.)	<b>EXTENDED POWER</b> This power now includes the issue of FPN for dog fouling, which is already designated to PCSOs in Kent and Medway and adds the additional power to issue a FPN in respect of other dog control orders i.e. the keeping of dogs on leads, the exclusion of dogs from land and the number of dogs that a person may take onto land
<b>Power to remove abandoned vehicles</b> under regulations made under section 99 of the Road Traffic Regulation Act 1984.	Already designated to PCSOs in Kent and Medway
TRANSPORT POWERS	
<b>Power to issue fixed penalty notices for cycling on a footpath:</b> Power of a constable in uniform to give a person a fixed penalty notice under <a href="#">section 54</a> of the Road Traffic Offenders Act 1988 (fixed penalty notices) in respect of an offence under <a href="#">section 72</a> of the Highway Act 1835 (riding on a footway) committed by cycling.	Already designated to PCSOs in Kent and Medway
<b>Power to stop cycles:</b> Powers of a constable in uniform to stop a cycle under section 163(2) of the Road Traffic Act 1988 when a CSO has reason to believe that a	Already designated to PCSOs in Kent and Medway

person has committed the offence of riding on a footpath.	
<b>Power to control traffic for purposes other than escorting a load of exceptional dimensions:</b> Powers to direct traffic (for purposes other than escorting loads of exceptional dimensions) based on the powers constables have under sections 35 and 37 of the Road Traffic Act 1988 It also gives CSOs the power to direct traffic for the purposes of conducting a traffic survey. CSOs designated under this paragraph must also be designated with powers under paragraph 3A of Schedule 4 to the Police Reform Act.	<b>NEW POWER</b> These powers are intended to enable PCSOs to assist with traffic management at public events, road traffic collisions and other incidents where traffic diversions are necessary.
<b>Power to carry out road checks:</b> Power to carry out a road check, which has been authorised by a Superintendent or above and power to stop vehicles for the purposes of carrying out a road check.	Already designated to PCSOs in Kent and Medway
<b>Power to require name and address for road traffic offences:</b> The Serious Organised Crime and Police Act 2005 allows CSOs to be designated with the power to require the name and address of a driver or pedestrian who fails to follow the directions of a community support officer or police officer under sections 35 or 37 of the RTA 1988.	<i>NEW POWER</i> This power <b>has</b> to be designated to PCSOs that have been given the power to control traffic other than escorting an abnormal load. (See above)
<b>Power to place signs:</b> The Serious Organised Crime and Police Act 2005 enables CSOs to be designated with the power of a constable under section 67 of the Road Traffic Regulation Act 1984 to place traffic signs.	<i>NEW POWER</i> These powers are intended to enable PCSOs to assist with traffic management at public events, road traffic collisions and other incidents.
<b>Power to seize vehicles used to cause alarm:</b> Power to stop and seize a vehicle which a CSO has reason to believe is being used in a manner which contravenes sections 3 or 34 of the Road Traffic Act 1988 (careless and inconsiderate driving and prohibition of off-road driving) under section 59 of the Police Reform Act 2002.	Already designated to PCSOs in Kent and Medway
<b>ALCOHOL &amp; TOBACCO POWERS</b>	
<b>Power to require persons drinking in designated places to surrender alcohol:</b> Power to require a person whom a CSO reasonably believes is, or has been, consuming alcohol in a designated public place or intends to do so, to not consume that alcohol and to surrender any alcohol or container for alcohol. Power to dispose of alcohol surrendered.	Already designated to PCSOs in Kent and Medway
<b>Power to require persons aged under 18 to surrender alcohol:</b> Power to require a person who he reasonably believes is aged under 18 or is or has been supplying alcohol to a person aged under 18 to surrender any alcohol in his possession and to give their name and address. Power to require such a person to surrender sealed containers of alcohol if the CSO has reason to believe that	Already designated to PCSOs in Kent and Medway

the person is or has been consuming or intends to consume alcohol. Power to dispose of alcohol surrendered.	
<b>Power to seize tobacco from a person aged under 16</b> and to dispose of that tobacco.	Already designated to PCSOs in Kent and Medway
<b>Power to seize drugs and require name and address for possession of drugs:</b> The Serious Organised Crime and Police Act 2005 allows CSOs to be designated with a power to seize unconcealed drugs or drugs found when searching for alcohol, tobacco or dangerous items. The CSO must retain the drugs until a constable instructs them what to do with it. If a CSO finds drugs in a person's possession or has reason to believe that a person is in possession of drugs then the CSO may require that person's name and address. <b>Only if designated with powers under paragraph 7C may the CSO then detain a person on failure to comply with the requirement.</b>	<i>NEW POWER</i> This power will be restricted to seizing unconcealed drugs and will not enable the PCSO to detain for the purpose of search
<b>POWERS TO TACKLE ANTI-SOCIAL BEHAVIOUR</b>	
<b>Power to require name and address for anti-social behaviour:</b> Power of a constable in uniform under section 50 of the Police Reform Act 2002 to require a person whom he has reason to believe to have been acting, or to be acting, in an anti-social manner to give his name and address. Paragraph 3(2) of Schedule 4 enables a CSO designated under paragraph 3 of Schedule 4 to detain a person who fails to comply with a requirement to give name and address or who gives an answer which the CSO reasonably suspects to be false or inaccurate in the same way as he or she may under paragraph 2. Paragraph 3(10) of Schedule 8 to the Serious Organised Crime and Police Act 2005 provides that paragraph 3(2) of Schedule 4 to the Police Reform Act 2002 has no effect unless a CSO has been designated with the power of detention under paragraph 2 of Schedule 4.	Already designated to PCSOs in Kent and Medway
<b>ENFORCEMENT POWERS</b>	
<b>Power to require name and address:</b> Power to require the name and address of a person whom a CSO has reason to believe has committed a relevant offence (Relevant offences are defined under subparagraph 2(6) of Schedule 4 of the Police Reform Act 2002 as relevant fixed penalty offences under paragraph 1 of Schedule 4, an offence under section 32(2) of the Anti-Social Behaviour Act 2003 (failure to follow an instruction to disperse) or an offence that causes injury, alarm or distress to another person or loss of or damage to another person's property.)	Already designated to PCSOs in Kent and Medway
<b>Power to photograph persons away from a police station:</b> The Serious Organised Crime and Police Act 2005 enables CSOs to photograph a person who has been	<b>NEW POWER</b>

arrested, detained or given a fixed penalty notice away from the police station.	
<b>SECURITY POWERS</b>	
<b>Power to enter and search any premises for the purposes of saving life and limb or preventing serious damage to property.</b>	Already designated to PCSOs in Kent and Medway
<b>Power to stop and search in authorised areas:</b> Powers under the Terrorism Act 2000 in authorised areas to stop and search vehicles and pedestrians when in the company and under the supervision of a constable.	Already designated to PCSOs in Kent and Medway
<b>Power to enforce cordoned areas:</b> under section 36 of the Terrorism Act 2000	Already designated to PCSOs in Kent and Medway