

Status: Point in time view as at 28/05/2013.

Changes to legislation: Criminal Justice and Public Order Act 1994, Paragraph 3 is up to date with all changes known to be in force on or before 30 August 2024. 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)

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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