



Violent Crime Reduction Act 2006

2006 CHAPTER 38

PART 2

WEAPONS ETC.

Knives, etc.

47 Power to search persons in attendance centres for weapons

- (1) A member of staff of an attendance centre who has reasonable grounds for suspecting that a relevant person may have with him or in his possessions—
 - (a) an article to which section 139 of the Criminal Justice Act 1988 (c. 33) applies (knives and blades etc.), or
 - (b) an offensive weapon (within the meaning of the Prevention of Crime Act 1953 (c. 14)),may search the relevant person or his possessions for such articles and weapons.
- (2) A search under this section may be carried out only where the member of staff and the relevant person are on the premises of the attendance centre.
- (3) A person may carry out a search under this section only if—
 - (a) he is the officer in charge of the attendance centre; or
 - (b) he has been authorised by the officer in charge to carry out the search.
- (4) A person who carries out a search of a relevant person under this section—
 - (a) may not require the relevant person to remove any clothing other than outer clothing;
 - (b) must be of the same sex as the relevant person; and
 - (c) may carry out the search only in the presence of another member of staff who is also of the same sex as the relevant person.
- (5) A relevant person's possessions may not be searched under this section except in his presence and in the presence of another member of staff.

Changes to legislation: There are currently no known outstanding effects for the Violent Crime Reduction Act 2006, Section 47. (See end of Document for details)

- (6) If, in the course of a search under this section, the person carrying out the search finds—
- (a) anything which he has reasonable grounds for suspecting falls within subsection (1)(a) or (b), or
 - (b) any other thing which he has reasonable grounds for suspecting is evidence in relation to an offence,
- he may seize and retain it.
- (7) A person who exercises a power under this section may use such force as is reasonable in the circumstances for exercising that power.
- (8) A person who seizes anything under subsection (6) must deliver it to a police constable as soon as reasonably practicable.
- (9) The Police (Property) Act 1897 (c. 30) (disposal of property in the possession of the police) shall apply to property which has come into the possession of a police constable under this section as it applies to property which has come into the possession of the police in the circumstances mentioned in that Act.
- (10) An authorisation for the purposes of subsection (3)(b) may be given either in relation to a particular search or generally in relation to searches under this section or to a particular description of such searches.
- (11) In this section—
- “attendance centre” has the same meaning as in Part 12 of the Criminal Justice Act 2003 (c. 44) (see section 221 of that Act);
- “officer in charge”, in relation to an attendance centre, means the member of staff for the time being in charge of that centre;
- “outer clothing” means—
- (a) any item of clothing that is being worn otherwise than wholly next to the skin or immediately over a garment being worn as underwear; or
 - (b) a hat, shoes, boots, gloves or a scarf;
- “possessions”, in relation to a person, includes any goods over which he has or appears to have control;
- “relevant person”, in relation to an attendance centre, means a person who is required to attend at that centre by virtue of—
- (a) a relevant order (within ^{F1}the meaning given by section 397(1) of the Sentencing Code); or
 - (b) ^{F2}a youth rehabilitation order under ^{F3}Chapter 1 of Part 9 of that Code];]
- (12) The powers conferred by this section are in addition to any powers exercisable by the member of staff of an attendance centre in question apart from this section and are not to be construed as restricting such powers.

Textual Amendments

- F1** Words in s. 47(11) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 259\(a\)](#) (with [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2
- F2** Words in s. 47(11) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 4 para. 98](#) (with [Sch. 27 para. 15](#)); [S.I. 2009/3074](#), art. 2(p)(xv) (with art. 4)
- F3** Words in s. 47(11) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 259\(b\)](#) (with [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Changes to legislation: There are currently no known outstanding effects for the Violent Crime Reduction Act 2006, Section 47. (See end of Document for details)

Commencement Information

II S. 47 in force at 1.10.2007 by [S.I. 2007/2180](#), [art. 3\(I\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Violent Crime Reduction Act 2006, Section 47.