

SERIOUS ORGANISED CRIME AND POLICE ACT 2005

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 3: Police powers etc.

Section 122: Powers of designated and accredited persons

271. This clause amends the provisions of Part 4 of the 2002 Act in respect of designated and accredited persons. *Subsection (2)* amends section 42 of the 2002 Act in order to provide that an investigating officer designated under section 38 of that Act may, on the authority of an Inspector or above, be directed not to wear a uniform for specific and individual operations.
272. *Subsection (3)* amends paragraphs 1 and 15A of Schedule 4 to the 2002 Act. Part 1 of that Schedule sets out the powers which may be conferred on community support officers. Community support officers are civilian employees of police authorities designated by chief officers to exercise a range of powers. Those powers include the power to issue a fixed penalty notice for certain offences, including the offences mentioned in the first column of the Table in section 1(1) of the Criminal Justice and Police Act 2001, but the Secretary of State may limit community support officers' powers insofar as they relate to particular, listed, offences. The effect of the amendment is to make a technical change to the procedure by which the Secretary of State may add to or remove from the list of offences for which community support officers may not issue fixed penalty notices. Instead of making a separate order which has to be read in conjunction with that list, the Secretary of State is given a power to amend the list itself. *Subsections (4), (5) and (6)* make corresponding amendments for accredited persons. These are suitably skilled and trained non-police employees involved in the provision of community safety who, pursuant to a scheme established and maintained by a chief officer of police under the 2002 Act, may be accredited by chief officers with powers to undertake specified functions in support of the police. *Subsection (7)* introduces Schedules 8 and 9. These amend Schedules 4 and 5 to the 2002 Act, which set out the powers which may be given to designated and accredited persons.