

## Annex A

### CSAS Powers

Chief officers may choose to give accredited persons all, some or none of the below powers.

**Table 1** lists the powers that chief officers may confer on accredited persons. The following powers are not yet in force: the power to issue fixed penalty notices in relation to offences against certain byelaws (under paragraph (1A)) and the power to require the giving of name and address under paragraph 2 in relation to an offence under a relevant byelaw within the meaning of paragraph 1A .

**Table 2** lists the offences under Chapter 1 Part 1 of the Criminal Justice and Police Act 2001 for which accredited persons may be accredited with a power to issue a fixed penalty notice for disorder. If a chief officer of police accredits an accredited person with powers under paragraph 1 of Schedule 5 of the Police Reform Act 2002 he or she may choose whether to give the accredited person the power to issue fixed penalty notices for all of the available fixed penalty offences or a selection of them. This list of powers provides only a broad outline of the available powers. For further detail please look at the relevant legislation and accompanying explanatory notes.

| Table 1 Power  | Relevant legislation   |
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| <b>Power to issue penalty notices for disorder:</b><br>Power of a constable to give a penalty notice under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001 (fixed penalty notices in respect of offences of disorder) except in respect of an offence under section 12 of the Licensing Act 1872, section 91 of the Criminal Justice Act 1967 section 1 of the Theft Act 1968, section 1(1) of the Criminal Damage Act 1971 and section 87 of the Environmental Protection Act 1990 (See below for a list of penalty notices for disorder that accredited persons can issue) | Paragraph 1(2)(aa) of Schedule 5 to the Police Reform Act 2002 (inserted by section 89(1) of the Anti-Social Behaviour Act 2003)                   |
| <b>Power to issue fixed penalty notices for truancy:</b><br>Power of a constable to give a penalty notice under section 444A of the Education Act 1996 (penalty notice in respect of failure to secure regular attendance at school of registered pupil)   | Paragraph 1(2)(ab) of Schedule 5 to the Police Reform Act 2002 (inserted by section 23(6) of the Anti-Social Behaviour Act 2003)                   |
| <b>Power to issue fixed penalty notice in respect of an excluded pupil in a public place:</b> the power of a constable to give a penalty notice under section 105 of the Education and Inspections Act 2006 (penalty notice in respect of presence of excluded pupil in public place)  | Paragraph 1(2)(ac) of Schedule 5 to the Police Reform Act 2002 (inserted by inserted by section 107(4) of the Education and Inspections Act 2006). |
| <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 section 54 of the Road Traffic Offenders Act 1988 (fixed  | Paragraph 1(2)(a) of Schedule 5 to the Police Reform Act 2002  |

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| <p>penalty notices) in respect of an offence under section 72 of the Highway Act 1835 (riding on a footway) committed by cycling.</p>   |   |
| <p><b>Power to issue fixed penalty notices for dog fouling:</b> Power of an authorised officer of a local authority to give a notice under section 4 of the Dogs (Fouling of Land) Act 1996 (fixed penalty notices in respect of dog fouling)<br/>This power (and the 1996 Act) has now been repealed in relation to England and Wales by section 107 and Schedule 5 Part 5 of the Clean Neighbourhoods and Environment Act 2005. However the power continues to have effect in respect of any land which remains designated land under the 1996 Act.</p> | <p>Paragraph 1(2)(b) of Schedule 5 to the Police Reform Act 2002.</p>   |
| <p><b>Power to issue fixed penalty notices for graffiti and fly-posting:</b> Power of an authorised officer of a local authority to give a notice under section 43(1) of the Anti-social Behaviour Act 2003 (penalty notices in respect of graffiti or fly-posting)</p>   | <p>Paragraph 1(2)(ba) of Schedule 5 to the Police Reform Act 2002 (inserted by section 46(2)(b) of the Anti-Social Behaviour Act 2003)</p>                  |
| <p><b>Power to issue fixed penalty notices for littering:</b> Power of an authorised officer of a litter authority to give a notice under section 88 of the Environmental Protection Act 1990 (fixed penalty notices in respect of litter)</p>  | <p>Paragraph 1(2)(c) of Schedule 5 to the Police Reform Act 2002</p>  |
| <p><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.)</p>   | <p>Paragraph 1(2)(d) of Schedule 5 to the Police Reform Act 2002 (inserted by section 62(3) of the Clean Neighbourhoods and Environment Act 2005)</p>       |
| <p><b>Power to issue fixed penalty notices in relation to offences against certain byelaws:</b> power of an authorised officer of an authority to give a notice under section 237A of the Local Government Act 1972 where the accredited person has reason to believe an individual has committed an offence against a relevant byelaw. This power is not yet in force.</p>   | <p>Paragraph 1A of Schedule 5 to the Police Reform Act 2002 (inserted by section 133 of the Local Government and Public Involvement in Health Act 2007)</p> |
| <p><b>Power to require giving of name and address:</b> Power to require the name and address of a person whom an accredited person has reason to believe has committed a relevant offence (Relevant offences are defined under paragraph 2(3) of Schedule 5 of the Police Reform Act 2002 as relevant fixed penalty offences in relation to which the accredited person is able to give a fixed penalty</p>   | <p>Paragraph 2 of Schedule 5 to the Police Reform Act 2002</p>  |

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| <p>notice under paragraph 1 of Schedule 5 or an offence that appears to the accredited person to have caused injury, alarm or distress to another person or loss of or damage to another person's property. It also includes an offence under a relevant byelaw within the meaning of paragraph 1A, though this is not yet in force.) It is an offence to fail to comply with an accredited person's requirement.</p>  |  |
| <p><b>Power to deal with begging:</b> The Serious Organised Crime and Police Act makes offences under sections 3 and 4 of the Vagrancy Act 1824 into relevant offences, giving accredited persons the power to request the name and address of someone who has committed such an offence</p>   | <p>Paragraph 2(3)(aa) of Schedule 5 to the Police Reform Act 2002 (see paragraph 18 of Schedule 8 to the Serious Organised Crime and Police Act 2005).</p>   |
| <p><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.</p>   | <p>Paragraph 3 of Schedule 5 to the Police Reform Act 2002</p>   |
| <p><b>Power to require name and address for road traffic offences:</b> power of a constable under sections 165(1)(c) and 169 of the Road Traffic Act 1988 to require the name and address where the accredited person has reasonable cause to believe certain offences under that Act have been committed.</p>   | <p>Paragraph 3A of Schedule 5 to the Police Reform Act 2002 (inserted by paragraph 19 of Schedule 8 to the Serious Organised Crime and Police Act 2005).</p> |
| <p><b>Power to require persons drinking in designated places to surrender alcohol:</b> Power of a constable under section 12 of the Criminal Justice and Police Act 2001 to require a person whom an accredited person 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 to him.</p>   | <p>Paragraph 4 of Schedule 5 to the Police Reform Act 2002</p>   |
| <p><b>Power to require persons aged under 18 to surrender alcohol:</b> Power of a constable under section 1 of the Confiscation of Alcohol (Young Persons) Act 1997 to require a person who he reasonably suspects 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 accredited person has reason to believe that the person is, has been or intends to consume alcohol. Power to dispose of alcohol surrendered to him.</p> | <p>Paragraph 5 of Schedule 5 to the Police Reform Act 2002</p>   |

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| <b>Power to seize tobacco from a person aged under 16</b> and to dispose of that tobacco in a manner directed by the employer of an accredited person.   | Paragraph 6 of Schedule 5 to the Police Reform Act 2002  |
| <b>Power to remove abandoned vehicles</b> under regulations made under section 99 of the Road Traffic Regulation Act 1984.   | Paragraph 7 of Schedule 5 to the Police Reform Act 2002.   |
| <b>Power to stop vehicles for testing:</b> Powers of a constable in uniform to stop vehicles for the purposes of testing under section 67 of the Road Traffic Act 1988.  | Paragraph 8 of Schedule 5 to the Police Reform Act 2002.   |
| <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 an accredited person has reason to believe that a person has committed the offence of riding on a footpath.   | Paragraph 8A of Schedule 5 to the Police Reform Act 2002 (inserted by section 89(6) of the Anti-Social Behaviour Act 2003)                             |
| <b>Power to control traffic for purposes other than escorting a load of exceptional dimensions:</b> The Serious Organised Crime and Police Act 2005 enables accredited persons to be given 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 accredited persons the power to direct traffic for the purposes of conducting a traffic survey. Accredited persons conferred with powers under this paragraph must also be given powers under paragraph 3A of Schedule 5 to the Police Reform Act. | Paragraph 8B of Schedule 5 to the Police Reform Act 2002 (inserted by paragraph 20 of Schedule 8 to the Serious Organised Crime and Police Act 2005).  |
| <b>Power to direct traffic for the purposes of escorting abnormal loads</b>  | Paragraph 9 of Schedule 5 to the Police Reform Act 2002  |
| <b>Power to photograph persons away from a police station:</b> The Serious Organised Crime and Police Act 2005 enables accredited persons to be given the power to photograph a person who has been given a penalty notice away from the police station.   | Paragraph 9ZA of Schedule 5 to the Police Reform Act 2002 (inserted by paragraph 21 of Schedule 8 to the Serious Organised Crime and Police Act 2005). |

| <b>Table 2 Offences for which Accredited Persons may issue penalty notices for disorder under Chapter 1 Part 1 of the Criminal Justice and Police Act 2001</b> | <b>Relevant legislation</b>            |
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| Wasting police time, Giving false report   | s.5(2) Criminal Law Act 1967           |
| Using public electronic communications to cause annoyance  | s.127(2)<br>Communications Act 2003    |
| Knowingly giving a false alarm to a fire brigade   | s.49 Fire and Rescue Services Act 1947 |

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| Behaviour likely to cause harassment, alarm or distress.   | s.5 Public Order Act 1986                                      |
| Throwing fireworks   | s.80 Explosives Act 1875                                       |
| Sells or attempts to sell alcohol to a person who is drunk                                       | s.141<br>Licensing Act 2003                                    |
| Supply of alcohol by or on behalf of a club to a person aged under 18                            | s.146(3) Licensing Act 2003                                    |
| Sale of alcohol anywhere to a person under 18  | s.146(1)<br>Licensing Act 2003                                 |
| Buys or attempts to buy alcohol on behalf of a person under 18                                   | s.149(3)<br>Licensing Act 2003                                 |
| Buys or attempts to buy alcohol for consumption on relevant premises by a person under 18        | s.149(4)<br>Licensing Act 2003                                 |
| Delivery of alcohol to person under 18 or allowing such delivery                                 | s.151<br>Licensing Act 2003                                    |
| Breach of fireworks curfew   | Fireworks Regulations 2004 under s11 of the Fireworks Act 2003 |
| Possession of a category 4 firework  | Fireworks Regulations 2004 under s11 of the Fireworks Act 2003 |
| Possession by a person under 18 of an adult firework.  | Fireworks Regulations 2004 under s11 of the Fireworks Act 2003 |
| Trespassing on a railway   | s.55<br>British Transport Commission Act 1949                  |
| Throwing stones at a train   | s.56<br>British Transport Commission Act 1949                  |
| Consume alcohol in a designated public place, contrary to requirement by constable not to do so. | s.12(4) Criminal Justice and Police Act 2001                   |
| Consumption of alcohol by a person under 18 on relevant premises                                 | s.150(1)<br>Licensing Act 2003                                 |
| Allowing consumption of alcohol by a person under 18 on relevant premises                        | s.150(2)<br>Licensing Act 2003                                 |
| Buying or attempting to buy alcohol by a person under 18   | s.149(1)   |

Last amendments under Policing and Crime Act (2009) Schedule 7, part 4 re:  
Alcohol misuse other than mandatory licensing conditions.  
Affected paragraph 5, schedule 5 Police Reform Act (2002).