



CIVIL NUCLEAR CONSTABULARY

Email

[REDACTED]

The Executive Office

Civil Nuclear Constabulary

Building F6 Culham Science Centre

Abingdon

Oxon

OX14 3DB

Tel: 03303 135400

Website: <https://www.gov.uk/cnc>

Dear [REDACTED]

I am writing in response to your request for information regarding the below. Your request has been handled under Section 1(1) of the Freedom of Information Act 2000. In accordance with Section 1(1) (a) of the Act I hereby confirm that the CNC/CNPA does hold information of the type specified.

I am writing to you for some clarification please in regards to Police Officer's holding the office of constable.

I have read "The office of Constable; The bedrock of modern day policing, by John Apter" on the police federations website and it has raised some questions.

<https://www.polfed.org/media/14239/the-office-of-constable-with-links-2018.pdf>

1. Please can you tell me if every Police Officer within your police force holds the Office of Constable? That is, has every police officer, sworn the following oath?

"I do solemnly and sincerely declare and affirm that I will well and truly service the Queen in the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people; and that I will, to the best of my power, cause the peace to be kept and preserved and prevent all offences against people and property; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law"

2. If there is a variation of this oath, for say officers who do not hold the office of constable, and may be employees of a company carrying out police officer duties, what is that oath?
3. If there is a difference between police officers having sworn said oath, can you tell me the name and badge number of every office holding the office of constable within your force and what the ratio to those who havent please?

4. **Do police forces, in any instant, use "hired help" such as security firms or employees of limited liability companies, and allow them dress in police uniforms and enforce the law? What safeguards and protocols are in place to protect the public ifso?**
5. **What does it mean, to be policed by consent, I quote from the above referenced document: "The office of constable is fundamental to our system of politically independent policing by consent".**
6. **In addition, can police officers holding the office of constable, and/or any other police officer/employee potentially impersonating a police constable, enforce legislation, acts and statutes?**

1. Yes, every police officer in the CNC has been sworn in on oath. This is now conducted during the Initial Training Course where a magistrate attends to conduct the process. Previously, officers attended magistrates courts to be sworn in to hold the Office of Constable. For officers attending Scottish units, this is conducted by a Justice of the Peace.

2. All our officers hold the office of Constable and there is no variation.

3. N/A

4. We do not use 'hired help'

5. Exemption S21 applies to this question. Please find attached a link to the previous HO FOI response which sets out the basis of policing by consent.

<https://www.gov.uk/government/publications/policing-by-consent/definition-of-policing-by-consent>

6. Under section 56 of the Energy Act 2004 CNC police officers have the powers and privileges of a constable at the following;

(a) at every place comprised in a relevant nuclear site; and

(b) everywhere within 5 kilometres of such a place.

(2) at every trans-shipment site where it appears to him expedient to be in order to safeguard nuclear material while it is at the site.

(3) at every other place where it appears to him expedient to be in order to safeguard nuclear material which is in transit.

(4) at every place where it appears to him expedient to be in order to pursue or to detain a person whom he reasonably believes—

(a) to have unlawfully removed or interfered with nuclear material being safeguarded by members of the Constabulary; or

(b) to have attempted to do so.

(5) A member of the Constabulary shall have the powers and privileges of a constable throughout Great Britain for purposes connected with—

(a) a place mentioned in subsections (1) to (4);

(b) anything that he or another member of the Constabulary is proposing to do, or has done, at such a place; or

(c) anything which he reasonably believes to have been done, or to be likely to be done, by another person at or in relation to such a place.

CNC officers will have applicable enforcement powers within their jurisdiction, enforcement powers are provided across numerous statutes, whether or not particular enforcement powers under a particular piece of legislation are available to CNC officer depends upon how a constable or police officer is defined within the statute.

The Civil Nuclear Constabulary is a specialist armed police service dedicated to the civil nuclear industry, with Operational Policing Units based at 10 civil nuclear sites in England and Scotland and over 1400 police officers and staff. The Constabulary headquarters is at Culham in Oxfordshire. The civil nuclear industry forms part of the UK's critical national infrastructure and the role of the Constabulary contribute to the overall framework of national security.

The purpose of the Constabulary is to protect licensed civil nuclear sites and to safeguard nuclear material in transit. The Constabulary works in partnership with the appropriate Home Office Police Force or Police Scotland at each site. Policing services required at each site are agreed with nuclear operators in accordance with the Nuclear Industries Security Regulations 2003 and ratified by the UK regulator, the Office for Nuclear Regulation (ONR). Armed policing services are required at most civil nuclear sites in the United Kingdom. The majority of officers in the Constabulary are Authorised Firearms Officers.

The Constabulary is recognised by the National Police Chiefs' Council (NPCC) and the Association of Chief Police Officers in Scotland (ACPOS). Through the National Coordinated Policing Protocol, the Constabulary has established memorandums of understanding with the local police forces at all 10 Operational Policing Units. Mutual support and assistance enable the Constabulary to maintain focus on its core role.

We take our responsibilities under the Freedom of Information Act seriously but, if you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have the right to complain. We will investigate the matter and endeavour to reply within 3 – 6 weeks. You should write in the first instance to:

Kristina Keefe
Disclosures Officer
CNC
Culham Science Centre
Abingdon
Oxfordshire
OX14 3DB

E-mail: FOI@cnc.pnn.police.uk

If you are still dissatisfied following our internal review, you have the right, under section 50 of the Act, to complain directly to the Information Commissioner. Before considering your complaint, the Information Commissioner would normally expect you to have exhausted the complaints procedures provided by the CNPA.

The Information Commissioner can be contacted at:

FOI Compliance Team (complaints)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

If you require any further assistance in connection with this request please contact us at our address below:

Kristina Keefe
Disclosures Officer
CNC
Culham Science Centre
Abingdon
Oxfordshire
OX14 3DB
E-mail: FOI@cnc.pnn.police.uk

Yours sincerely
Kristina Keefe
Disclosures Officer