

**Summary of Responses to the Consultation Document**  
**‘Standard Powers for Community Support Officers and a**  
**Framework for the Future Development of Powers’**  
**& the Government Response**

## Introduction

The Government White Paper 'Building Communities, Beating Crime', which was published in November 2004, contained a commitment to introduce a set of minimum powers for all Community Support Officers (CSOs).

On 31 August 2005 the Home Office published its consultation paper '*Standard Powers for Community Support Officers and a Framework for the Future Development of Powers*'. The consultation period ran for eight weeks and closed on 26 October 2005.

The consultation document explained that, currently, Chief Constables have the power to designate CSOs from a range of powers set out in Schedule 4 of the Police Reform Act 2002. At present, this means that CSOs in different forces can be designated with some of the available powers, all of the powers, or occasionally none of the powers. However the Home Office believes there are significant drawbacks to the current situation and that it is sensible to standardise the powers designated to CSOs. The consultation paper also announced the Government's intention to legislate for a set of standard powers at the earliest opportunity.

Respondents were asked to express their views on this subject in general and to comment specifically on 8 questions, in particular whether or not they agreed with standardising CSO powers and on what powers they would recommend be included in the standard set of powers. Police forces were also asked to comment on a further question about training costs based on their operational experience.

In total over 90 responses were received within the time limit, from a wide range of organisations including police forces, town and parish councils and Crime & Disorder Reduction Partnerships as well as from individual CSOs and members of the public. We are grateful to all those who took the time and effort to respond with their views. The responses have been carefully considered.

This paper provides an overview of the responses received to the questions raised in the consultation, together with the Government Response. In addition there is also a section which contains additional comments and themes which have emerged through the consultation process.

The proposed list of standard powers is set out at Annex A. The original text of the consultation document is attached at Annex B and a list of all those who replied to the consultation is set out at Annex C for your information.

## **PART 1**

### **Issue 1**

**We asked for views on the set of principles below, which we believe the set of standard powers should be based on.**

- (i) All CSOs should have key enforcement powers that allow them to take action against anti-social behaviour, in particular the power to require name and address;
- (ii) Alcohol is a serious problem throughout the country and all CSOs should be able to take measures in the neighbourhoods they patrol to minimise the damage that it causes, therefore powers to deal with alcohol abuse should be included in a set of standard powers.
- (iii) CSOs have a critical role to play in neighbourhood policing and it is important that they have sufficient powers to play a full role as part of neighbourhood policing teams.

### **Summary**

The majority of respondents, 55%, either did not state or were unclear about whether they agreed with these principles. However 39% stated explicitly that they fully or broadly agreed with all three principles. Only one individual disagreed, stating that the principles were too vague and needed to be expanded on. However, a number of respondents were concerned that the principles could lead to CSOs being seen as 'enforcers' by communities and this was seen as undesirable. Emphasis was placed on finding a balance between enforcement and community engagement. It was suggested by the Rutland Community Safety Partnership and the Association of British Social Workers that the visible, reassuring part of the CSO role should be included in the principles.

Concern was expressed by a small minority of consultees about these principles leading to CSOs facing more confrontational situations, particularly in relation to principles (ii) and (iii). The Association of Police Authorities (APA), the Welsh Assembly Government and Hampshire Police Authority raised these concerns. It was suggested by MET-TUS (the Metropolitan Police Trade Union side) that further, relevant training would have to be arranged. MET-TUS also suggested, and Hampshire Police Authority agreed, that personal protective equipment would be required for all CSOs before undertaking certain enforcement duties, such as dealing with alcohol abuse.

### **Response**

With the exception of one response there was no opposition to the set of principles on which we believe the standard set of powers for CSOs should be based. The three principles highlight the key role CSOs have to play in dealing with anti-social behaviour, alcohol related disorder and neighbourhood policing and make clear the need for CSOs to have sufficient powers to be

effective in these areas and to fulfil their important role within Neighbourhood Policing teams. The importance of finding a balance between enforcement and community engagement is something which we fully recognise although we do not believe that one must preclude the other. We know from the National Evaluation of CSOs that CSOs are most effective when they are engaged with their local communities and that they are seen as more accessible than police officers by some members of the public who are reporting issues, including instances of ASB, and intelligence to them that they would not necessarily 'trouble' a police officer with. However it is important that the public are confident that CSOs have sufficient powers to deal with low level crime issues that arise in a neighbourhood policing context.

Our view on training and equipment issues is set out at the end of this paper.

## **Issue 2**

**We asked for your understanding of the role of CSOs and what you expect CSOs to do.**

### **Summary**

There was a strong response to this question. Only a quarter of respondents did not offer their view on the role of CSOs, with only one reply, from a parish council, stating that there were no benefits to the role of CSOs. There were common themes to nearly all the replies, from all sections of the community and the police.

The key role of CSOs was seen as reassuring the public, being visible and accessible and tackling low level crime and anti-social behaviour. CSOs are expected to patrol the streets, gather intelligence and deal with non-confrontational situations.

There was a particular emphasis on building community links and partnerships with other agencies and authorities. CSOs are valued for their problem solving role, creating long term solutions to local issues. As well as being the 'eyes and ears' of the police it was suggested that CSOs are the voice of their communities, feeding back local views and problems to the police.

Six responses, four of these from the police community, mentioned freeing up police officers time as part of the CSO role although this was usually seen as a secondary benefit. One police force suggested CSOs could be used to perform resource intensive operations, such as maintaining cordons.

CSOs were seen as an integral part of Neighbourhood Policing Teams, working with police and other partners, but with a distinct role from constables. This view was expressed by a range of respondents including the

Association of Chief Police Officers, a number of police forces and police authorities and 3 local councils.

## **Response**

Responses to the consultation revealed a great deal of support for CSOs and their unique role. In line with the views expressed by consultees, we see the fundamental role of CSOs as being to provide high visibility reassurance policing, primarily through foot patrol. CSOs ability to act as the 'voice' of their communities and to solve local problems is something we see as critical to their success. In addition, recognising that the role of the CSO is distinct and separate from that of a police constable we believe that CSOs can have a positive impact in freeing up police officer time by dealing with incidents of low level crime and anti-social behaviour allowing regular police officers to focus on more serious crime.

### **Issue 3**

**We asked if you agree that greater standardisation of CSO powers is desirable and the reasons for your view.**

## **Summary**

The majority of respondents believe that the standardisation of CSO powers is desirable. Indeed over 70% of replies agreed with the proposal, although views differed as to which powers should be included in the standard set. 16% were undecided or didn't reply to this question. Only 12% were against standard powers.

Respondents from the police community were in general in favour of standard powers. Many replies which agreed with standard powers stated that these should be a minimal and limited set of powers, with Chief Officers maintaining control over designating further powers locally. This was the view expressed by ACPO. It was clear from most replies that police forces, including Norfolk, Northumbria, South Yorkshire and Staffordshire, felt CSOs should not be given powers they considered may give rise to confrontation, as standard.

The remaining responses from all sections of the community, including councils, CSOs and members of the public, were largely in favour of standard powers. The most common reason was simply for clarity, to reduce confusion amongst the public and others about what CSOs can do. Several replies, generally from CSOs, linked standard powers with *increased* powers. However whilst the introduction of standard powers would result in CSOs in some forces having more powers than they do currently this would not necessarily be the case in all forces.

Major stakeholders such as the Police Federation, ACPO and the APA all agreed that standardisation, to varying degrees, was desirable.

Many of those responses which were against standardisation had linked standard powers with increased or new powers, leading to their opposition to the idea. This assumption had led people to worry that CSOs might be deployed away from community work and visible patrol. Others felt that Chief Officers should remain able to use their local operational knowledge to decide which powers to designate.

Several local councils and Crime & Disorder Reduction Partnerships felt that having standard powers would enable organisations to spread best practice between force areas more easily.

### **Response**

There was a great deal of support for the standardisation of CSO powers. It is clear from both responses received to the consultation and from evidence in the National Evaluation of CSOs that there is confusion both within the police community and the wider general public about the powers of CSOs and that establishing a set of standard powers is seen as a useful way of addressing this issue.

We recognise the concerns expressed by a minority of respondents that standard powers might mean that CSOs would be deployed away from community work and visible patrol. This is absolutely not the intention and we do not believe that establishing a standard set of powers will affect their role.

We believe that there is a strong case for establishing a set of standard powers. Establishing a set of standard powers based on the 3 principles will ensure that all CSOs have the tools they need to do their job and will help clarify for members of the public the powers and role of the CSO. We do not agree with the 15% of replies that said that all powers should be standardised but rather support the position that CSOs should be given a core set of standard powers that enable them to operate most effectively but that those enforcement powers that carry a greater risk of involving CSOs in potentially confrontational situations should remain discretionary. For this reason we do not, for example propose to include powers such as the powers to use reasonable force to detain or the power to search a detained person for dangerous items that could be used to assist escape, in the standard set.

### **Issue 4**

**We asked for your ideas on which powers should be included in a set of standard powers and which powers you believe are essential for all CSOs to have to enable them to contribute to neighbourhood policing.**

## Summary

These questions were asked separately in the consultation but produced very similar replies. Many people replied to both questions in one answer and others suggested the same powers for their answers to both questions. For this reason the analysis of both has been grouped together below.

A large proportion of respondents replied to the first part of this question with 14% in favour of all current powers being standard, 45% in favour of some specifically stated powers being standardised, and 5% wanted no powers to be standardised. The remaining respondents didn't answer this question or their answers were unclear or undecided.

Concerns were about standardising what some considered to be more 'coercive' powers such as powers to search or detain. There was also some opposition to the inclusion of powers relating to licensing offences and powers which in the respondents view would be likely to lead to confrontation. Many were also concerned about the added training cost involved in standard powers, the possible need for personal protective equipment to be given to CSOs and that new powers, if designated, may conflict with the core role of CSOs in the community. This was a recurrent theme and our views on this are set out at the end of this paper.

There was widespread support for the Environmental Powers, Transport Powers and Security Powers with a large number of replies also supporting some alcohol powers and powers to deal with anti-social behaviour.

We carried out a more detailed analysis of the replies to the neighbourhood policing question. Many respondents answered this question by highlighting those powers they felt most strongly about, rather than commenting on each and every power. In our analysis we recorded 'yes', 'no' or 'not stated' for each power in the list which was attached to the consultation. Some examples are given below;

- 35% were in favour of the power to issue an FPN for dog fouling being standard, with only 2% against. ACPO, the APA, the Police Federation and UNISON (the national union for police staff) were all in favour of this power as standard.
- 41% of replies stated explicitly that they would support the power to require a name and address for anti social behaviour as standard.
- Over 20% were in favour of CSOs being designated with the power to enforce certain licensing offences, with only 5% against. UNISON support this power as standard. ACPO, APA and the Police Federation are all against.
- 30% of respondents, including the Police Federation, supported the power to detain, with 5% against.

These replies fit in with the responses about the role of CSOs where local councils, organisations and people stated that they wanted CSOs to deal with low level crime and nuisance offences.

## **Response**

As stated in the consultation paper, we believe that CSOs must be given a robust set of powers that should include the majority of powers. There was widespread support for CSOs to be given all the environmental powers, transport powers and security powers and we propose to standardise all the powers available to CSOs that fall in these categories.

In line with the three principles agreed on which a set of standard powers should be based we also propose to standardise the powers available to CSOs to require name and address, accompanied by the power to detain as a sanction for non-compliance, and the vast majority of alcohol and tobacco powers and powers that enable CSOs to tackle anti-social behaviour.

A full list of those powers which we propose to include in the standard set is attached at Annex C. We feel that this list provides CSOs with a comprehensive package of powers that will enable them to tackle issues they may encounter on patrol whilst leaving the majority of enforcement powers to be designated at the discretion of the Chief Officer.

## **Issue 5**

**We asked if you believed there are further powers that would help CSOs contribute to neighbourhood policing more effectively in your area.**

## **Summary**

The majority of responses to this question suggested additional transport powers for CSOs. New powers suggested included giving CSOs the power to stop moving vehicles, deal with illegal parking and issue Fixed Penalty Notices (FPN) for speeding. ACPO suggested a power to issue an FPN for cycling without lights and the APA would support a power to allow CSOs to seize untaxed and uninsured vehicles.

The consultation document mentioned giving CSOs powers to take part in truancy sweeps. This idea received support. Other examples of new powers suggested included powers related to scene protection (supported by the APA) and the power to require the name and address of anyone suspected of committing any offence in respect of which a CSO has any other power (suggested by ACPO).

Some powers which were suggested, such as the power to give an initial warning under Section 5 of the Public Order Act 1986, have been affected by recent changes in legislation. For example following amendments made in the

Serious Organised Crime and Police Act 2005 the requirement for a first warning to be issued before an arrest can take place no longer applies.

## **Response**

We received a number of suggestions of additional powers that stakeholder felt it would be useful for CSOs to have. There was also a particular emphasis on further traffic powers, in particular for CSOs to issue FPNs for traffic offences. However having consulted with other stakeholders (including ACPO), we remain unconvinced that there was a genuine operational need for these additional powers for PCSOs. They do not sit within the core neighbourhood policing role of CSOs and would abstract them from their core role. There was also concern that these powers would alter the public perception of CSOs. At present the only additional power we wish to pursue is the power to allow CSOs to take part in truancy sweeps (and not as a standard power).

## **Issue 6**

**We asked for suggestions on how to increase public understanding of the powers of CSOs. We specifically asked for views on publishing powers on individual force websites and/or grouping CSO powers in some way and whether people thought this would be useful.**

## **Summary**

There was a positive response to this question with several replies suggesting views and ideas on how we could increase public understanding of the role of CSOs. Over 40% of those who replied to this question agreed that publishing the powers on police websites would be useful.

A popular suggestion was to launch a national publicity campaign to increase understanding and awareness of CSOs, along the lines of the 'Could You' police recruitment campaign. It was suggested that this could include success stories, and 'a day in the life' accounts. This suggestion was supported by 30% of those who replied, including organisations such as Northumbria Police, UNISON and Warrington Borough Council.

18% of the replies suggested that the process of standardising powers would achieve this greater understanding by itself. Other ideas included distributing leaflets and adverts at community events and locations, using other partners websites, talks in schools and at ward meetings and using local newspapers. It was suggested that a uniform which clearly identifies CSOs would aid in increasing public awareness.

There were four replies which were opposed to this suggestion. It was suggested by some that the public are not confused and do not need a greater understanding of CSO powers and that publishing powers would give

youths ammunition against CSOs and make them feel like second class officers.

### **Response**

We are encouraged by the support for the proposal to publish the powers that CSOs have on police websites and we would also publish a list of standard powers on the home office website. We also feel strongly that standardising the powers that CSOs have will provide greater clarity so that the public will know, wherever they are in England and Wales, that CSOs have certain powers. A publicity campaign for CSOs is currently being developed and will be run at a local and national level, however dates have yet to be finalised.

### **Issue 7**

**We asked if you had ideas for further powers that would add to the effectiveness of accredited persons in your area.**

### **Summary**

Only 10% of those who replied to the consultation answered this question. Two thirds of these, amounting to six replies, said they were content with the current position. Staffordshire Police, Staffordshire Police Authority and Manchester City Council thought accredited persons should have the same powers as CSOs.

The two replies which suggested specific powers said it would be particularly useful for wardens and others to have powers to deal with alcohol offences and to issue Fixed Penalty Notices for environmental issues and cycling on the pavement.

It was suggested by ACPO that it is necessary to further publicise the role accredited persons can play in neighbourhood policing to increase the popularity of schemes and develop best practice from experience.

### **Response**

Chief Officers can currently establish community safety accreditation schemes under section 40 of the Police Reform Act 2002. People working in a community safety role can then be accredited into these schemes and designated with limited but targeted police powers. These powers, set out in Schedule 5 of the 2002 Act, are fewer than those powers available to CSOs, reflecting the limited enforcement role of accredited persons and the fact that unlike CSOs, these individuals are not under the direct control of the Chief Officer. There are currently over 650 accredited persons in England and Wales and we sought views in the consultation on whether stakeholders felt there were additional powers that it would be useful for accredited persons to have available. However there was little support for increasing the powers

available to accredited persons and this is not something that we wish to pursue at this stage. Any of the additional powers proposed above are already available to be designated to accredited persons.

### **Issue 8**

**We asked if police forces had information on the overall cost of training their CSOs and/or on the costs of training them in their powers.**

#### **Summary**

A number of forces provided information on training costs. There was a large variation in these costs explained in part by the different calculation methods that forces used, some not including the cost of the CSOs time and of accommodation. No forces provided information on the cost of training CSOs in powers modules.

#### **Response**

Information provided has enabled us to calculate a total cost of training a CSO for one day at approximately £80. The cost impact of introducing a set of standard powers has been thoroughly evaluated in the Regulatory Impact Assessment (available shortly).

### **Issue 9**

**Common themes emerging from the consultation process.**

In addition to comments received in response to specific questions posed in the consultation paper there were a number of recurrent themes that emerged in responses. These are detailed below.

#### ***Role of CSO***

There were concerns that the reassurance and community role of CSOs would be adversely affected by designating them with additional powers, particularly enforcement and more 'confrontational' powers. Staffordshire Police and Staffordshire Police Authority were worried that the amount of time CSOs spend on patrol in communities will be reduced and paperwork will be increased if they are expected to deal with more offences.

As stated earlier in this paper, we do not feel that by standardising powers which are already available to CSOs, this policy will have a negative impact on the role of the CSO. The powers currently available to CSOs have been carefully considered and there is nothing to suggest that by standardising them, this will involve CSOs in any unnecessary paperwork.

### ***Equipment & Training***

The most commonly mentioned concern was that of Personal Protective Equipment and appropriate training for CSOs. Respondents, such as the City of London Police and many CSOs felt that extra powers would then require CSOs to be issued with equipment, such as handcuffs or batons, which would protect them from increased confrontation and aid them with powers such as the power to detain. This would mean a significant extra cost for police forces which caused some concern. It may also conflict with the approachable, community liaison role of CSOs.

There is nothing to suggest that standardising existing powers will result in a change in equipment issued to CSOs. It is important that the power to detain is not confused with the power to use reasonable force to detain although the power to use reasonable force to detain has been designated by a number of police forces who have not found it necessary, as a consequence, to issue their CSOs with appointments. However the decision of what equipment to issue CSOs is an operational matter and will remain the responsibility of Chief Officers. Similarly, it is the responsibility of Chief Officers to ensure that CSOs have been adequately trained in the powers with which they have been designated and this requirement will continue to apply to standard powers.

### ***Uniform***

Many CSOs who responded to the consultation mentioned the need for a national uniform for all CSOs. It was felt that CSOs are often mistaken for neighbourhood wardens or traffic wardens. One CSO from Hertfordshire Constabulary commented that if CSOs are not recognised as such then the reassuring role they are supposed to be providing is not being successful. There was also concern that CSOs are often mistaken for police officers and that uniforms are not distinct enough. This can lead to CSOs being expected to deal with issues as a constable would.

Police Officers do not wear a national uniform and nor do we propose that CSOs should. We recognise the concerns raised around public understanding of the role and powers of CSOs and we believe that by standardising their powers we will help ensure that the public have a much clearer understanding of situations and issues that a CSO can be expected to deal with and those that require the training and experience of a regular police officer.

### ***Career Progression***

Several respondents, including the Greater London Authority, mentioned career progression for CSOs and the difficulties which are faced by being employed on temporary contracts. It was felt that this may lead to difficulties in recruitment and retention of CSOs.

We recognise the concerns expressed above and the Home Office and the service are working together with Centrex to develop a learning and development programme for CSOs, specialist and some other parts of the wider policing family that is aligned to the new initial police learning and development programme for officers. This will eventually carry a qualification and will mean that the training and experience that CSOs have received can

be accredited and taken into account when they apply for other posts – including police officer posts – in the force. Increasingly, learning and development programmes are being put together for use by CSOs and police staff as well as by police officers. The qualifications framework that we are developing, with Skills for Justice, will also span all roles in the police service. PDRs and the integrated competency framework that underpins will be made applicable to CSOs and police staff. The tools are all being developed to facilitate effective career progression and development throughout the service. Increasingly, as they are used effectively, and as terms and conditions are modernised, this will enable much greater flexibility within the service that will see people moving between different types of roles as well as just progressing through the ranks. Thus it will be possible for CSOs to map career pathways through the police service – into officer roles, specialist roles or police staff roles, depending on their skills, experience, aspirations and performance.

In terms of the number of CSOs on short term contracts, we recognise that this has been an issue, particularly at the outset of recruiting CSOs due, in part, to perceived uncertainty about the future of funding available. The Government has committed over £450million of Neighbourhood Policing Funding for CSOs over the next three years and has made clear its intention to continue funding CSOs beyond 2008. However CSOs are employees of local police authorities and it is a matter for them to set terms and conditions for individual staff members.

**Powers proposed to include in the standard set**

POWER	RELEVANT LEGISLATION
<b>ENVIROMENTAL POWERS</b>	
<b>Power to issue FPNs for dog fouling</b> Power of an authorised officer of a local authority to give a notice under <u>section 4</u> of the Dogs (Fouling of Land) Act 1996.	Paragraph 1(2)(c) of Schedule 4 to the Police Reform Act 2002.
<b>Power to issue FPN for littering</b> Power of an authorised officer of a litter authority to give a notice under <u>section 88</u> of the Environmental Protection Act 1990.	Paragraph 1(2)(d) of Schedule 4 to the Police Reform Act 2002
<b>Power to issue FPN graffiti/fly-posting</b> Power of an authorised officer of a local authority to give a notice under <u>section 43(1)</u> of the Anti-social Behaviour Act 2003.	Paragraph 1(2)(ca) of Schedule 4 to the Police Reform Act 2002 (inserted by section 46 of the Anti-Social Behaviour Act 2003)
<b>Power to remove abandoned vehicles</b> under regulations made under section 99 of the Road Traffic Regulation Act 1984	Paragraph 10 of Schedule 4 to the Police Reform Act 2002
<b>TRANSPORT POWERS</b>	
<b>Power to issue FPN for cycling on pavement</b> Power of a constable in uniform to give a person a fixed penalty notice under <u>section 54</u> of the Road Traffic Offenders Act 1988 in respect of an offence under <u>section 72</u> of the Highway Act 1835 (riding on a footway) committed by cycling.	Paragraph 1(2)(b) of Schedule 4 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 a CSO has reason to believe that a person has committed the offence of riding on a footpath.	Paragraph 11A of Schedule 4 to the Police Reform Act 2002 (inserted by section 89(3) of the Anti-Social Behaviour Act 2003)
<b>Power to stop vehicles for testing, power to escort abnormal loads and power to carry out road checks</b>	Paragraph 11 of Schedule 4 to the Police Reform Act 2002. Paragraph 12 of Schedule 4 to the Police Reform Act 2002 Paragraph 13 of Schedule 4 to the Police Reform Act 2002
<b>Power to require name and address for road traffic offences:</b> The Serious Organised Crime and Police Act 2005 allows CSOs to be designated with the power to require the name and address of a driver or pedestrian who fails to follow the directions of a community support officer or police officer.	Paragraph 3A of Schedule 4 to the Police Reform Act 2002 (inserted by paragraph 6 of Schedule 8 to the Serious Organised Crime and Police Act 2005).
<b>Power to direct traffic and to place traffic signs</b>	Paragraph 11B of Schedule 4 to the Police Reform Act 2002 (inserted by paragraph 10 of Schedule 8 to the Serious Organised Crime and Police Bill & Paragraph 13A of Schedule 4 to the Police Reform Act 2002 (inserted by paragraph 11 of the Serious Organised Crime and Police Act 2005.)
<b>Power to issue PND for throwing fireworks and trespassing on a railway and throwing stones on a railway.</b>	S80 of the Explosives Act 1875, s55 & s56 of British Transport Commission Act 1949
<b>Power to seize vehicles used to cause alarm:</b> Power to stop and seize a vehicle which	Paragraph 9 of Schedule 4 to the Police Reform Act 2002

<p>a CSO has reason to believe is being used in a manner which contravenes sections 3 or 34 of the Road Traffic Act 1988 under section 59 of the Police Reform Act 2002.</p>	
<p><b>ALCOHOL &amp; TOBACCO POWERS</b></p>	
<p><b>Limited power to enter licensed premises:</b> The Serious Organised Crime and Police Bill allows CSOs to be designated with a power to enter licensed premises under section 180 of the Licensing Act 2003 for the purposes of investigating relevant licensing offences.</p>	<p>Paragraph 8A of Schedule 4 to the Police Reform Act 2002 (inserted by paragraph 9 of Schedule 8 to the Serious Organised Crime and Police Act 2005).</p>
<p><b>Power to require persons drinking in designated area to surrender alcohol</b> Power to require a person whom a CSO 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.</p>	<p>Paragraph 5 of Schedule 4 to the Police Reform Act 2002</p>
<p><b>Power to require persons aged under 18 to surrender alcohol:</b> Power to require a person who he reasonably believes 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 CSO has reason to believe that the person is or has been consuming or intends to consume alcohol. Power to dispose of alcohol surrendered.</p>	<p>Paragraph 6 of Schedule 4 to the Police Reform Act 2002</p>
<p><b>Power to search for alcohol and tobacco:</b> Where a person has failed to comply with a requirement under paragraph 5 or 6 or has failed to allow a CSO to seize tobacco under paragraph 7 of Schedule 4 to the Police Reform Act 2002 and a CSO reasonably believes that the person is in possession of alcohol or tobacco then a CSO may search them for it and dispose of anything found.</p>	<p>Paragraph 7A of Schedule 4 to the Police Reform Act 2002 (inserted by paragraph 8 of Schedule 8 of the Serious Organised Crime and Police Act 2005).</p>
<p><b>Power to seize tobacco from a person aged under 16</b> and to dispose of that tobacco.</p>	<p>Paragraph 7 of Schedule 4 to the Police Reform Act 2002</p>
<p><b>Power to seize drugs and require name and address for possession of drugs:</b> The Serious Organised Crime and Police Act 2005 allows CSOs to be designated with a power seize unconcealed drugs or drugs found when searching for alcohol, tobacco or dangerous items. The CSO must retain the drugs until a constable instructs them what to do with it.</p>	<p>Paragraphs 7B and 7C of Schedule 4 to the Police Reform Act 2002 (inserted by paragraph 8 of Schedule 8 to the Serious Organised Crime and Police Act 2005).</p>
<p><b>Power to issue PNDs for: sale of alcohol to a person under 18; purchase of alcohol for person under 18; delivery of alcohol to person under 18; drinking in designated area; consumption of alcohol by person under 18 or allowing such consumption; buying or attempting to buy alcohol by a person under 18 and sells or attempts to sell alcohol to a person who is drunk.</b></p>	<p>s146, s149(3),s151, s150(1) Licensing Act 2003, s149(1), s141 Licensing Act 2003 &amp; s12 Criminal Justice &amp; Police Act 2001</p>

<b>POWERS TO TACKLE ANTI-SOCIAL BEHAVIOUR</b>	
<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.	Paragraph 3 of Schedule 4 to the Police Reform Act 2002 (Paragraph 3(10) of Schedule 8 to the Serious Organised Crime and Police Act 2005).
<b>Power to deal with begging:</b> The Serious Organised Crime and Police Act 2005 makes offences under sections 3 and 4 of the Vagrancy Act 1824 into relevant offences. It also gives CSOs a power to detain a person who they have required to stop committing an offence under sections 3 and 4 of the Vagrancy Act and who has failed to comply with the requirement.	Paragraphs 2(6)(ac) and 2(3B) of Schedule 4 to the Police Reform Act 2002 (see paragraphs 3(4), 3(5), 3(6) and 3(7) of Schedule 8 to the Serious Organised Crime and Police Act 2005).
<b>Power to issue PND for breach of fireworks curfew; possession of a category 4 firework; possession by a persons under 18 of an adult firework; supply of excessively load firework</b>	Fireworks Regulations 2004 under s11 of the Fireworks Act 2003
<b>ENFORCEMENT POWERS</b>	
<b>Power to require name and address for relevant offences</b> Power to require the name and address of a person whom a CSO has reason to believe has committed a relevant offence (Relevant offences are defined under subparagraph 2(6) of Schedule 4 of the Police Reform Act).	Paragraph 1A of Schedule 4 to the Police Reform Act 2002 (inserted by paragraph 2 of Schedule 8 to the Serious Organised Crime and Police Act 2005).
<b>Power to detain:</b> Power to detain a person whom a CSO has reason to believe has committed a relevant offence who fails to comply with a requirement to give name and address or who gives an answer which the CSO reasonably suspects to be false or inaccurate for up to 30 minutes or until the arrival of a police officer (or to accompany that person to a police station if he or she elects to do so on request).	Paragraph 2 of Schedule 4 to the Police Reform Act 2002. (Paragraph 3(2) of Schedule 8 to the Serious Organised Crime and Police Act 2005.)
<b>Power to photograph persons away from a police station:</b> The Serious Organised Crime and Police Act 2005 enables CSOs to be designated with the power to photograph a person who has been arrested, detained or given a fixed penalty notice away from the police station.	Paragraph 15ZA of Schedule 4 to the Police Reform Act 2002 (inserted by paragraph 12 of Schedule 8 to the Serious Organised Crime and Police Act 2005).
<b>SECURITY POWERS</b>	
<b>Power to enter and search any premises for purposes of saving life and limb or preventing damage to property</b>	Paragraph 8 of Schedule 4 to the Police Reform Act 2002
<b>Power to stop and search in authorised areas:</b> Powers under the Terrorism Act 2000 in authorised areas to stop and search vehicles and pedestrians when in the company and under the supervision of a constable.	Paragraph 15 of Schedule 4 to the Police Reform Act 2002
<b>Power to enforce cordoned areas:</b> under section 36 of the Terrorism Act 2000	Paragraph 14 of Schedule 4 to the Police Reform Act 2002

**Powers not included in the set of standard powers**

<b>ENFORCEMENT POWERS</b>	
<p><b>Power to enforce byelaws:</b> The Serious Organised Crime and Police Act 2005 provides that offences committed under relevant byelaws are relevant offences under paragraph 2(6) of Schedule 4 of the Police Reform Act 2002. A relevant byelaw is a byelaw from a list of byelaws that has been agreed between a chief constable and a relevant byelaw-making body.</p>	<p>Paragraphs 1A(3), 2(3A), 2(6)(ad), 2(6B), 2(6C), 2(6D), 2(6E), 2(6F) of Schedule 4 to the Police Reform Act 2002 (see paragraphs 2, 3(4), 3(7) and 3(8) of Schedule 8 to the Serious Organised Crime and Police Act 2005).</p>
<p><b>Power to search detained persons for dangerous items or items that could be used to assist escape:</b> Serious Organised Crime and Police Act 2005 allows CSOs to be designated with the same powers as a constable under section 32 of PACE to search detained persons for anything that could be used to cause physical injury or to assist escape.</p>	<p>Paragraph 2A of Schedule 4 to the Police Reform Act 2002 (inserted by paragraph 4 of Schedule 8 to the Serious Organised Crime and Police Act 2005).</p>
<p><b>Power to use reasonable force to prevent a detained person making off:</b> either when waiting for the arrival of a constable or when accompanying a detained person to a police station.</p>	<p>Paragraph 4 of Schedule 4 to the Police Reform Act 2002</p>
<p><b>Power to use reasonable force to transfer control of detained persons:</b> Paragraph 2(4A) of Schedule 4 to the Police Reform Act 2002 places a duty on CSOs to remain with a police officer when transferring a detained person to his or her custody until the police officer has the person under control. Paragraph 2(4B) places a CSO accompanying a detained person to a police station under a duty to remain at the police station until the detained person is under control.</p>	<p>Paragraphs 2(4A), 2(4B), 4ZA and 4ZB of Schedule 4 to the Police Reform Act 2002 (see paragraphs 2, 3 and 4 of Schedule 9 to the Serious Organised Crime and Police Act 2005).</p>
<p><b>Power to remove children in contravention of curfew notices to their place of residence:</b> Power to remove a child to their place of residence if the CSO has reason to believe that the child is in contravention of a curfew notice under sub-sections 15(1), (2) and (3) of the Crime and Disorder Act 1998.</p>	<p>Paragraph 4B of Schedule 4 to the Police Reform Act 2002 (inserted by section 33 of the Anti-Social Behaviour Act 2003)</p>
<p><b>Power to issue FPN for truancy</b> Power of a constable to give a penalty notice under section 444A of the Education Act 1996.</p>	<p>Paragraph 1(2)(aa) of Schedule 4 to the Police Reform Act 2002 (inserted by section 23 of the Anti-Social Behaviour Act 2003).</p>
<p><b>Power to remove truants to a designated place:</b> <i>where a local authority designates premises to which young person or child may be removed under this section, Powers of a constable in uniform to remove a child or young person that they have reasonable cause to believe is absent from school without lawful authority, back to the school or to designated premises.</i></p>	<p><i>Section 16 of Crime and Disorder Act 1998</i>  <u>Proposed New Power</u></p>

<b>Destroying or damaging property; causing harassment, alarm or distress</b>	S1(1) of the Criminal Damage Act 1971, s5 Public Order Act 1986
<b>Power to issue PND for wasting police time, giving false report, using public network communications in order to cause annoyance; knowingly giving false alarm to a person acting on behalf of a fire and rescue authority</b>	S5 Criminal Law Act 1967, s127 (2) Communications Act 2003, s49 Fire and Rescue Act 2004
<b>POWERS TO TACKLE ANTI-SOCIAL BEHAVIOUR</b>	
<b>Power to disperse groups and remove persons under 16 to their place of residence:</b> Powers which, by virtue of an authorisation under section 30 of the Anti-social Behaviour Act 2003, are conferred on a constable in uniform by section 30(3) to (6) of that Act (power to disperse groups and remove persons under 16 to their place of residence).	Paragraph 4A of Schedule 4 to the Police Reform Act 2002 (inserted by section 33 of the Anti-Social Behaviour 2003)
<b>ALCOHOL AND TOBACCO POWERS</b>	
<b>Power to enforce certain licensing offences:</b> The Serious Organised Crime and Police Act 2005 establishes a set of relevant licensing offences. These offences are sale of alcohol to a person who is drunk, obtaining alcohol for a person who is drunk, sale of alcohol to children, purchase of alcohol by or on behalf of children, consumption of alcohol by children and sending a child to obtain alcohol. Where these offences apply specifically to clubs they are not relevant licensing offences. CSOs may require name and address but may not detain for those relevant licensing offences that are most likely to be committed by license holders.	Paragraph 2(6A) of Schedule 4 to the Police Reform Act 2002 (see paragraphs 3(3) and 3(8) of Schedule 8 to the Serious Organised Crime and Police Act 2005).
<b>Power to issue PND for drunk and disorderly behaviour; drunk in highway</b>	S91 of the Criminal Justice Act 1967, s12 Licensing Act 1872

**CONSULTATION PAPER ON STANDARD POWERS FOR COMMUNITY SUPPORT OFFICERS AND A FRAMEWORK FOR THE FUTURE DEVELOPMENT OF POWERS**

***Why does there need to be a standardisation of community support officer powers (CSOs)?***

1. The Government White Paper 'Building Communities, Beating Crime', which was published in November 2004, contained a commitment to introduce a set of minimum powers for community support officers (CSOs).
2. Under the Police Reform Act 2002 chief constables have the power to designate CSOs from a range of powers set out in Schedule 4 to that Act. At present, this means that CSOs in different forces can be designated with some of the available powers, all of the powers, or occasionally none of the powers. However there are significant drawbacks to the current situation.
3. The public currently have no way of knowing what the powers of CSOs are from one force to the next. This is confusing and disorientating, and leads many members of the public to think that CSOs have no powers at all. Also, it means that in some forces CSOs do not have sufficient powers to play a full part in neighbourhood policing and have a role more similar to that of wardens. For these reasons we think that it is sensible to standardise the powers designated to CSOs and we intend to legislate for a set of standard powers at the earliest opportunity.

***The shape of a set of standard powers***

4. We believe that a set of standard powers should be based on the following principles.

**We would appreciate your views on this set of principles.**

- (iv) All CSOs should have key enforcement powers that allow them to take action against anti-social behaviour, in particular the power to require name and address;
  - (v) Alcohol is a serious problem throughout the country and all CSOs should be able to take measures in the neighbourhoods they patrol to minimise the damage that it causes, therefore powers to deal with alcohol abuse should be included in a set of standard powers.
  - (vi) CSOs have a critical role to play in neighbourhood policing and it is important that they have sufficient powers to play a full role as part of neighbourhood policing teams.
5. **What is your understanding of the role of CSOs? What do you expect CSOs to do?**

6. **Do you agree that greater standardisation of CSO powers is desirable? If you do agree, grateful if you would confirm why. If you think it is a bad idea, grateful if you would also give reasons and/or cite evidence for your view.**

7. We would expect a robust set of standard powers to include the majority of CSO powers but **we welcome your ideas on which powers should be usefully included in a set of standard powers.** A list of current CSO powers is attached for your reference.

8. **Which powers do you believe are essential for all CSOs to have to enable them to contribute to neighbourhood policing?**

***Where do we go from here?***

9. Establishing a set of standard powers should not be seen in isolation. It is part of the ongoing development of CSO powers. In establishing standard powers for CSOs we accept that there is a core of powers that all CSOs need in order to deal with anti-social behaviour in all areas. The Government is committed to tackling anti-social behaviour and other low level crime and CSOs have a crucial role to play in this. Equipping CSOs with a robust set of standard powers will ensure that they can contribute fully to this agenda and that they can play a full part in neighbourhood policing.

10. The new powers contained in the Serious Organised Crime and Police Act 2005 were a first step towards giving CSOs more of the powers they need to deal with problems they encounter day to day. We believe that there are many further options for extending CSO powers, for example giving CSOs powers of a police constable under section 16 of the Crime and Disorder Act 1998 to take part in truancy sweeps. Ultimately, however, we think that it should be up to you to suggest the powers for CSOs that would be useful in your area. **If, based on operational experience, you believe there are further powers that would help CSOs contribute to neighbourhood policing more effectively in your area, we would be grateful for your ideas.**

11. In inviting your ideas, however, we want to make it clear that we are seeking to increase the options for CSOs to deal with different types of anti-social behaviour, not to give CSOs powers that would enable them to take a role more like that of a police officer. We accept that CSOs should not have powers to enable them to deal proactively with any type of serious crime such as violence, drugs or sexual offending. If we extend the powers of CSOs further we will continue to ensure that they are carefully limited to fit their role and to ensure their safety.

12. We also want to explore a variety of options that would lead to greater public understanding of the powers of CSOs. **In particular we welcome your views on publishing powers on individual force websites and/or grouping CSO powers in some way. Would this be useful? Do you have any other suggestions?**

13. Community Safety Accreditation can also play a central part in neighbourhood policing. **If you have ideas for further powers that would add to the effectiveness of accredited persons in your area, we would also be glad to hear your ideas.**

14. **Applicable to Police forces only:** If you have information on the overall cost of training your CSOs and/or on the costs of training them in their powers we would like to hear from you.

**List of responses received to the consultation**

Bolsover District Council  
Cambridge Community Safety Partnership  
Rutland Community Safety Partnership  
Buckingham Town Council  
Aylesbury Vale District Council  
Legal Services Commission  
Great Wyrley Parish Council  
West Midlands Police Federation  
Mid Beds District Council  
St Albans Community Safety Team, St Albans City & District Council  
Dover Crime and Disorder Reduction Partnership  
Dover District Council  
Great Yarmouth Crime and Disorder Reduction Partnership Responsible  
Authorities Group  
Wolverhampton City  
MET-TUS  
Sevenoaks District Community Safety Partnership  
Dudley Community Safety Partnership  
Sevenoaks Town Council  
Tunbridge Wells Borough Council  
Manchester City Council  
Solihull Crime & Disorder Reduction Partnership  
UNISON  
Greater London Authority  
Federation of Small Businesses  
Coventry Community Safety Partnership  
Shoreham Parish Council  
Welsh Local Government Association  
Warrington Borough Council  
Housing Corporation  
Wolverhampton City Council  
Commission for Rural Communities  
Commission for Racial Equality  
Sandwich Town Council  
Broxbourne CDRP  
Costessy Parish Council  
Association of British Social Workers  
Deal Town Council  
Bracknell Forest Borough Council  
Walmer Parish Council  
Welsh Assembly Government  
Cronton Parish Council  
Newcastle (under Lyme) Safer Communities Partnership  
Dorset Police  
Northumbria Police

West Yorkshire Police Authority  
Staffordshire Police  
Cheshire Constabulary  
Hampshire Police Authority  
Staffordshire Police Authority  
Police Authority of Wales  
Leicestershire Constabulary  
City of London Police  
Sussex Police  
Sussex Police Federation  
Association of Chief Police Officers  
Dorset Police Authority  
Association of Police Authorities  
Police Federation of England & Wales  
South Yorkshire Police  
Humberside Police  
West Midlands Police Authority  
Dyfed-Powys Police Authority  
Hertfordshire Constabulary  
Norfolk Constabulary  
Gwent Police  
Metropolitan Police Service

There were also 27 replies from individuals.