



Police Reform Act 2002

2002 CHAPTER 30

PART 4

POLICE POWERS ETC.

CHAPTER 1

EXERCISE OF POLICE POWERS ETC. BY CIVILIANS

[^{F1}38B Police powers for civilian employees under collaboration agreements

- (1) The chief officer of police of a police force (the “assisted force”) may designate a person (“C”) who—
 - (a) is a civilian employee of [^{F2}, or a police volunteer with,] another police force (the “assisting force”),
 - (b) is designated under section 38 by the chief officer of police of the assisting police force (the “section 38 designation”), and
 - (c) is permitted, under relevant police collaboration provision, to discharge powers and duties specified in that provision for the purposes of the assisted force.
- (2) The designation under subsection (1) (the “collaboration designation”) must designate C as an officer of [^{F3}either or both of the descriptions specified in section 38(1) (if C is a civilian employee of the assisting force) or section 38(1A) (if C is a police volunteer with the assisting force)].
- (3) The collaboration designation may designate C as an officer of a particular description specified in [^{F4}section 38(1) or (as the case may be) section 38(1A)] only if the section 38 designation designates C as an officer of that description.
- (4) C shall have the powers and duties conferred or imposed on C by the collaboration designation.

Changes to legislation: Police Reform Act 2002, Section 38B is up to date with all changes known to be in force on or before 26 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) A power or duty may be conferred or imposed on C by the collaboration designation only if C is permitted, under the relevant police collaboration provision, to discharge that power or duty for the purposes of the assisted force.
- (6) C shall not be authorised or required by virtue of the collaboration designation to engage in any conduct otherwise than in the course of discharging a power or duty conferred or imposed on C by the collaboration designation.
- (7) The collaboration designation must specify the restrictions and conditions to which C is subject in the discharge of the powers and duties conferred or imposed by the collaboration designation.
- (8) Those restrictions and conditions must include the restrictions and conditions specified in the relevant police collaboration provision.
- (9) C is authorised or required to discharge any power or duty conferred or imposed by the collaboration designation subject to the restrictions and conditions specified in the collaboration designation.
- (10) References in this section to the discharge of functions by [^{F5}persons designated under section 38 by the chief officer of police of the assisting force] for the purposes of the assisted force have the same meaning as in [^{F6}section 23AA] of the Police Act 1996.
- (11) In this section—
 - “civilian employee” has the meaning given by section 23I of the Police Act 1996;
 - “relevant police collaboration provision” means provision, contained in a collaboration agreement under section 22A of the Police Act 1996, which is of the kind referred to in section 23AA of that Act.]

Textual Amendments

- F1** Ss. 38B, 38C inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 13 para. 3](#); S.I. 2011/3019, art. 3, Sch. 1
- F2** Words in s. 38B(1)(a) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 1\(2\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))
- F3** Words in s. 38B(2) substituted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 1\(3\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))
- F4** Words in s. 38B(3) substituted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 1\(4\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))
- F5** Words in s. 38B(10) substituted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 1\(5\)\(a\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))
- F6** Words in s. 38B(10) substituted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 1\(5\)\(b\)](#); S.I. 2017/1139, [reg. 2\(k\)](#) (as amended by S.I. 2017/1162, [reg. 2](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 26F inserted by [2023 c. 41 Sch. 13 para. 6](#)
- s. 28A(6A)(6B) inserted by [2023 c. 41 s. 45\(2\)](#)