

POLICE AND JUSTICE ACT 2006

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 1: Police Reform

Paragraphs 21 to 23: Jurisdiction of special constables

92. *Paragraph 21* amends section 30 of the 1996 Act by substituting the existing subsection (2). The effect of the substituted section 30(2) is to permit special constables to use their constabulary powers in forces throughout England and Wales. At the moment they have the powers and privileges of a constable only in the force area for which they are appointed and any other contiguous police area. This change means that subsections (3) and (4) of section 30 are no longer needed, so these are omitted by subparagraph (3).
93. These amendments will bring special constables in line with regular officers. For instance, a special constable will be able to act as a prisoner escort when prisoners are being collected from another force, and to make an off-duty arrest in another force area.
94. *Paragraph 22* amends section 24(3) of the 1996 Act so as to provide that, where a constable from the Metropolitan Police Service is provided to another police force under section 24, that constable will be under the direction and control of the chief officer of that other police force.
95. *Paragraph 23* amends section 27(2) of the 1996 Act to provide for an exception to the general position whereby special constables appointed for a police area are under the direction and control of the chief officer of the force for that area. The exception applies where special constables are provided to another force under section 24, in which case the special constables will for that time be under the direction and control of the chief officer of that other force.
96. The amendment also has the effect of clarifying that the reference to a constable in section 24(3) includes a reference to a special constable.