

THE POST OFFICE

# Security & Investigation Services

Security Foundation Programme – Open Learning

## Powers of Arrest



INVESTOR IN PEOPLE



# Open Learning: Powers of Arrest

## Contents

	Page
Introduction .....	2
How to use this Workbook .....	3
Objectives .....	5
Section: Arrestable Offences .....	7
Section: Citizens' Powers of Arrest .....	15
Section: A Constable's Powers of Arrest ..	19
Section: Actions on and after Arrest .....	23
Summary .....	29
Progress Check .....	30

### Acknowledgments

**Editorial Team**  
Mick Matthews and Jim Playle.

**Design and Artwork**  
Communications Services.

All Training Centre materials are presently being evaluated by Portsmouth University for accreditation towards their Higher Education Programme.

On completion of this module, Accreditation of Prior Learning (APL) in terms of knowledge and understanding may be used as part of the assessment process for those candidates following the National Vocational Qualification (NVQ) in Investigation.

Copyright © The Post Office 2000 – Version 1

## SECURITY FOUNDATION PROGRAMME

## Introduction

As Security Managers, the normal practice is to investigate and prosecute offenders without having to resort to arrest.

However, occasionally you will have to effect an arrest when you are sure the circumstances make arrest lawful and there is no other reasonable way to pursue the inquiry, but it is important that such powers are used sparingly.

When you do arrest somebody it should be a bold action leaving the suspect with no doubt that:

- they are not free to leave;
- the Police will be called.

With this in mind, this training module deals with arrest and how it relates to you. More serious criminal offences have special powers of arrest applied to them. These serious offences are known as "Arrestable Offences" and they are defined by Section 24 of the Police and Criminal Evidence Act 1984 (PACE).

This training module will help you to identify:

- what are arrestable offences;
- your powers of arrest (which are commonly referred to as citizens powers of arrest);
- the extra powers of arrest held by Police Constables should you need Police assistance in an investigation.

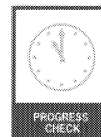
This module also looks at how to effect an arrest, and the action to be carried out following an arrest.

## SECURITY FOUNDATION PROGRAMME

## How to use this Workbook

This Workbook has been designed to enable you to work at your own pace. Give yourself time to think about the topics covered in each section before going on to the next one. At various points in the Workbook you will be asked to take part by completing an Activity. The Workbook is for you to keep, so you should write your answer to each Activity in the space provided.

Activities will be identified by the following symbols in the margin:



*You will be asked to carry out a variety of activities throughout this workbook. These will help you to explore issues and check your understanding.*

*This will give the answer to, or information about, the activity you have just completed. Feedback is given for you to check your own ideas and responses.*

*You will be asked to read sections of certain documents before continuing.*

*A set of self-check questions or activities will appear at the end of the workbook. These will help you to assess your understanding of the complete workbook.*

*These will help you to check your answers to the Progress Check questions. If your response does not match the answer given, you should go back over the relevant part of the workbook to re-check your understanding of it.*

This workbook should take you between 1-2 hours to complete.

## SECURITY FOUNDATION PROGRAMME

### Introduction: How to use this Workbook

#### Support

If you have any difficulty understanding the material in this workbook you should first contact your Line Manager for advice.

If you need additional advice or guidance, please contact the Security Training Centre by email at:

Security Training Centre:

Alternatively you can contact us by telephone Monday to Friday, 08.30 to 20.00 hours, on: , or write to:

Security Training Centre  
Impact House  
2 Edridge Road  
CROYDON  
CR9 1PJ

Our aim will be to respond to all requests for support within 24 hours of receipt of your enquiry (Monday to Friday).

## SECURITY FOUNDATION PROGRAMME

### Objectives

After completing this Workbook you will be able to:

- explain what constitutes an arrestable offence;
- state what powers of arrest you have as a citizen;
- state what extra powers of arrest a Police Constable possesses;
- state how you arrest someone;
- state what you do after arresting somebody;
- understand the provisions of Article 5 of the Human Rights Act 1998, The right to Liberty and Security.

## SECURITY FOUNDATION PROGRAMME

## Notes

## SECURITY FOUNDATION PROGRAMME

## Section 1: Arrestable Offences

## What Constitutes an Arrest?

In general, an arrest is defined as the physical seizure or touching of the arrested person's body with a view to his/her detention, but there may also be an arrest by mere words, e.g. simply by telling them they are under arrest.

Before you can use your powers of arrest it is vital that you firstly obtain a sound understanding of what constitutes an "Arrestable Offence".

Section 24 (Subsections 1-3) of the Police and Criminal Evidence Act 1984 (PACE) defines Arrestable Offences as follows:

## Section 24 (1a)

*Offences for which the sentence is fixed by law, e.g. life imprisonment for murder.*

## Section 24 (1b)

*Offences for which a person of 21 years of age or over (not previously convicted) may be sentenced to imprisonment for a term of five years or more, e.g. theft, robbery, burglary, obtaining property or services by deception, handling stolen goods (you should note that the offence is arrestable and therefore the age of the offender is immaterial).*

## Section 24 (2)

*Offences which have been deemed arrestable by Statute, including taking a motor vehicle without consent, going equipped to steal, harassment, racially-aggravated harassment, having a bladed article or point in a public place, carrying an offensive weapon, and Section 1 of the Protection of Children Act 1978 (indecent photographs and pseudo photographs of children).*

## Section 24 (3)

*Attempting, conspiring, inciting, aiding, abetting, counselling or procuring any offence detailed in subsection 2 above.*

## SECURITY FOUNDATION PROGRAMME

## Section 1: Arrestable Offences

So as you can see, there are four main categories of Arrestable Offences.

The first category (Subsection 1a) is self-explanatory and in any event you will not be called upon to investigate such offences.

The second category (Subsection 1b) can sometimes be difficult to understand as it may seem that only people over 21 can be arrested. This is not so, what it is saying is that if a person was found guilty at court of that offence, and they were over 21, they could be sentenced to 5 years or more. Therefore it is the offence which is arrestable, e.g. theft, and the age of the offender is immaterial. You should also note that if the offences covered by this subsection are “attempted”, they are again arrestable.

The third category (Subsection 2) refers to offences deemed arrestable by Statute. This simply means that the Statute Law, e.g. the Theft Act 1968, has stated that certain offences are arrestable. An example of this is going equipped to steal, contrary to Section 25 of the Theft Act 1968.

Now read Section 25 of the Theft Act 1968.

You will see that Subsection 4 of Section 25 states that:

*Section 25 (4) of the Theft Act 1968*

*“Any person may arrest without warrant anyone who is, or whom he, with reasonable cause, suspects to be, committing an offence under this Section.”*

Therefore it is an arrestable offence deemed by Statute.

The fourth category (Subsection 3) is self-explanatory.



READING

## SECURITY FOUNDATION PROGRAMME

## Section 1: Arrestable Offences

An easy way to remember the above is by using the acronym S.O.D.A. which is explained below:

- S – Sentence fixed by law.
- O – Offences for which a person of 21 years of age or over (not previously convicted) may be sentenced to imprisonment for a term of five years or more.
- D – Deemed arrestable by Statute.
- A – Attempting, conspiring, inciting, aiding, abetting, counselling or procuring.

## SECURITY FOUNDATION PROGRAMME

## Notes

## SECURITY FOUNDATION PROGRAMME

## Section 1: Arrestable Offences



To check your understanding of Arrestable Offences, please answer the following questions:

Q1. PACE defines Arrestable Offences into four main categories. Which Subsections of Section 24 do the following offences fall under:

- a) You know that a 19-year-old Counter Clerk has stolen a postal packet and placed it in their bag, and is just about to leave the building. Tick which section of PACE makes this an arrestable offence.

Section 24 (Subsection 1a)

Section 24 (Subsection 1b)

Section 24 (Subsection 2)

Section 24 (Subsection 3)

- b) A postman is known to have a knife and a "pritt stick" on him which he is going to use to steal from a letter then seal it again. Tick which section of PACE makes this an arrestable offence.

Section 24 (Subsection 1a)

Section 24 (Subsection 1b)

Section 24 (Subsection 2)

Section 24 (Subsection 3)

- Q2. Give an example of an offence for which the sentence is fixed by law.

- Q3. Give two examples of offences which carry a sentence of 5 years or more imprisonment.



## SECURITY FOUNDATION PROGRAMME

## Section 1: Arrestable Offences



Check your answers with the following:

Q1. PACE defines Arrestable Offences into four main categories. Which Subsections of Section 24 do the following offences fall under:

- a) You know that a 19-year-old Counter Clerk has stolen a postal packet placed it in their bag, and is just about to leave the building. Tick which section of PACE makes this an arrestable offence.

Section 24 (Subsection 1a)

✓ Section 24 (Subsection 1b)

Section 24 (Subsection 2)

Section 24 (Subsection 3)

(You should note that even though the Counter Clerk is under the age of 21, the offence is still arrestable.)

- b) A postman is known to have a knife and a "pritt stick" on him which he is going to use to steal from a letter then seal it again. Tick which section of PACE makes this an arrestable offence.

Section 24 (Subsection 1a)

Section 24 (Subsection 1b)

Section 24 (Subsection 2)

✓ Section 24 (Subsection 3)

Q2. Give an example of an offence for which the sentence is fixed by law.

*Life imprisonment for murder.*

## SECURITY FOUNDATION PROGRAMME

## Section 1: Arrestable Offences

Q3. Give two examples of offences which carry a sentence of 5 years or more imprisonment.

Your answer may have included two of the following:

- *Theft*
- *Robbery*
- *Burglary*
- *Obtaining property and services by deception*
- *Handling stolen goods*
- *Criminal damage*

If you are uncertain about what constitutes an Arrestable Offence, you should look back at the definitions provided on pages 7 and 8, or ask your Line Manager for some guidance.



## Notes

## Section 2: Citizens' Powers of Arrest

All people have powers of arrest (more commonly known as Citizens' powers of arrest) and this section focuses on what these powers are.

### What are Citizens' Powers of Arrest

The rules regarding Citizens' powers of arrest are clearly defined within PACE, Section 24, Subsections (4) and (5). These rules obviously relate to us as Security Managers, but Police Constables are citizens as well, and as such they also have these powers of arrest.

Let's look at what PACE says in more detail.

#### Section 24 (4)

*Any person may arrest without warrant:*

- a) *anyone who is in the act of committing an arrestable offence;*
- b) *anyone whom he has reasonable grounds for suspecting to be committing such an offence.*

The most important thing to remember about Section 24 (4) is that you have to believe that the offence is **actually being committed at the time of the arrest.**

#### Section 24 (5)

*Where an arrestable offence has been committed any person may arrest without warrant:*

- a) *anyone who is guilty of the offence;*
- b) *anyone whom he has reasonable grounds for suspecting to be guilty of it.*

With Section 24 (5) the most important line is "Where an arrestable offence has been committed". You have to know **an arrestable offence has been committed before you can make an arrest.** Once you know that an arrestable offence has been committed it is only then that you can arrest anyone who is guilty of it, or anyone you have reasonable grounds to suspect of being guilty of it.

## SECURITY FOUNDATION PROGRAMME

## Section 2: Citizens' Powers of Arrest



The point above cannot be stressed strongly enough. The fact is if it later turns out that an arrestable offence has not been committed, for example in a Service Delivery case, when a test letter turns up a few days later, or in a Post Office Network case when an error notice comes to light to explain the loss, and these were the arrestable offences that you were relying on, the arrest will be unlawful, even if it was made in good faith. You will be responsible for the unlawful arrest.

Consider the following Case Studies and then answer the questions that follow:

## Case Study 1

You are investigating a Delivery Officer who is suspected of having a number of stolen items of mail at his home. During the interview you recover a "test" item and the Delivery Officer admits that he has stolen it.

He has refused a request to allow a search of his home to be carried out and you believe that if the Delivery Officer is allowed to leave the interview he will dispose of the items at his home.

Q4. What Section of PACE can this person be arrested under?  
Tick one of the following:

Section 24 (Subsection 4)

Section 24 (Subsection 5)

Q5. Give a reason for your answer to Q4.

## SECURITY FOUNDATION PROGRAMME

## Section 2: Citizens' Powers of Arrest

## Case Study 2

A Post Office Network Branch Manager has contacted you and reported that one of their Counter Clerks has been observed taking some money from a colleague's till while they were not looking – the Branch Manager states that they still have the cash on them, as they were seen putting it in their pocket.

When you interview the suspect they deny the allegation, but you believe they are lying because they refuse to show you the contents of their pocket and a balance of the other Clerk's till shows a shortage of £300.

Q6. What Section of PACE can this person be arrested under?  
Tick one of the following:

Section 24 (Subsection 4)

Section 24 (Subsection 5)

Q7. Give a reason for your answer to Q6.

## SECURITY FOUNDATION PROGRAMME

## Section 2: Citizens' Powers of Arrest



Check your answers with the following;

## Case Study 1 – Delivery Officer

Q4. What Section of PACE can this person be arrested under?  
Tick one of the following:

Section 24 (Subsection 4)

✓ Section 24 (Subsection 5)

Q5. Give a reason for your answer to Q4.

*Because an arrestable offence has been committed.*

## Case Study 2 – Counter Clerk

Q6. What Section of PACE can this person be arrested under?  
Tick one of the following:

✓ Section 24 (Subsection 4)

Section 24 (Subsection 5)

Q7. Give a reason for your answer to Q6

*Because you have reasonable grounds to believe that the suspect is still in the act of committing an arrestable offence.*

It is very important that you understand these sections before you move on. If you are happy with your powers of arrest, we will move on to explore some extra powers of arrest Police Constables have.

## SECURITY FOUNDATION PROGRAMME

## Section 3: A Constable's Powers of Arrest

Extra powers of arrest for Constables are contained within PACE Section 24, Subsections (6) and (7). You need to be aware of these powers as you may need the assistance of the Police during your inquiries. This section focuses on what these powers are. Let's look at what PACE says about Police Constable's powers of arrest in more detail.

## Section 24 (6)

*Where a Constable has reasonable grounds for suspecting that an arrestable offence has been committed, he may arrest without a warrant anyone whom he has reasonable grounds for suspecting to be guilty of the offence.*

As you can see the Police have "two bites of the cherry" when it comes to reasonable grounds in Section 24 (6).

Security Managers have to know an arrestable offence has been committed (in accordance with Section 24 (5)) but a Police Constable only has to have **reasonable grounds to suspect** that an arrestable offence has been committed (in accordance with Section 24 (6)).



## SECURITY FOUNDATION PROGRAMME

## Section 3: A Constable's Powers of Arrest

Section 24 (Subsection 7) states:

Section 24 (7)

*A Constable may arrest without warrant;*

*a) anyone who is about to commit an arrestable offence;*

*b) anyone whom he has reasonable grounds for suspecting to be about to commit an arrestable offence.*

As you can see, Section 24 (Subsection 7) allows a Police Constable with reasonable grounds to effect an arrest **before** an arrestable offence is actually committed.

Security Managers on the other hand, have to wait until they have reasonable grounds to suspect that the person is **actually committing** an arrestable offence (in accordance with Section 24 (4)).

PACE also gives Police Constables extra powers of arrest under Section 25. This section pertains to "General arrest conditions" for non-arrestable offences. The most important condition that you should be aware of is that a Constable can arrest for a non-arrestable offence if he believes that a person will do physical injury to themselves. You should bear this in mind if you are faced with an offender for a non-arrestable offence and you believe that he may attempt suicide. If this is the case contact the Police.

## SECURITY FOUNDATION PROGRAMME

## Section 3: A Constable's Powers of Arrest



To check your understanding of a Constable's Powers of Arrest please answer the following questions:

Q8. Are the following statements true or false?

Give a reason for your answer in each case.

- a) For a Police Constable to arrest someone under Section 24 (Subsection 7) they must actually see an arrestable offence taking place.

True False

*Reason for your answer:*

- b) Police Constables can effect an arrest under Section 24 (Subsection 6) if they have reasonable grounds to believe someone **might** be about to commit an arrestable offence.

True False

*Reason for your answer:*

- c) Security Managers have the same powers as Police Constables under Section 24 (Subsection 7) of PACE.

True False

*Reason for your answer:*

## SECURITY FOUNDATION PROGRAMME

## Section 3: A Constable's Powers of Arrest



Check your answers with the following:

Q8. Are the following statements true or false? Give a reason for your answer in each case.

- a) For a Police Constable to arrest someone under Section 24 (Subsection 7) they must actually see an arrestable offence taking place.

True      ✓ False

*Reason for your answer:*

*They may arrest anyone whom they have reasonable grounds for suspecting to be about to commit an arrestable offence – they do not have to see the offence taking place.*

- b) Police Constables can effect an arrest under Section 24 (Subsection 6) if they have reasonable grounds to believe someone might be about to commit an arrestable offence.

True      ✓ False

*Reason for your answer:*

*It is Subsection 7, not 6, which allows Constables to effect an arrest on the basis of reasonable grounds to suspect a person is about to commit an arrestable offence.*

- c) Security Managers have the same powers as Police Constables under Section 24 (Subsection 7) of PACE.

True      ✓ False

*Reason for your answer:*

*Security Managers have to wait until they have reasonable grounds to suspect a person is actually committing an arrestable offence – Police Constables can arrest before the offence is committed.*

## SECURITY FOUNDATION PROGRAMME

## Section 4: Actions on and after Arrest

This section looks at the actions that must be taken at the time an arrest is effected. It also explores the actions that must be taken immediately after the arrest has been made.

## Actions on Arrest

The rules relating to the actions that need to be taken on and after arrest are dealt with by Sections 28 and 30 of PACE.

## Section 28 (1)

*To make an arrest lawful and in accordance with Section 28 (1) of PACE the arrested person must be informed:*

- they are under arrest;
- the grounds for the arrest;

*as soon as practicable after the arrest.*

The arrested person should then be formally cautioned and a note made in your Notebook (there are separate Training Modules covering Cautions and Notebooks).

## Section 30

In accordance with Section 30 of PACE, the arrested person must be taken to a 'designated' Police Station, i.e. one with a Custody Officer, as soon as reasonably practicable.

In practice the Police can be called to your location to take the suspect into custody, but it is the arresting Security Manager's responsibility to take the arrested person to a designated Police Station as soon as practicable.

Before the Police take the arrested person into custody, it is normal for you to explain the reason for the arrest to the Police Officer in the presence of the suspect.

## SECURITY FOUNDATION PROGRAMME

## Section 4: Actions on and after Arrest

## Actions After Arrest

Once you have arrested someone you cannot question them about the offence until they have been received into custody at a designated Police Station. If they make any unsolicited significant comments, these should be recorded in your Notebook.

## De-Arrest

There is no facility for a suspect, once arrested by a Security Manager, to be de-arrested by the Security Manager. Once told he is under arrest there is no going back, and he must be taken to a designated Police Station.

## Reasonable Force

If a suspect does not attempt to resist arrest or attempt to escape, no force may be used.

Such force as is reasonable in the circumstances in the prevention of crime may be used to arrest an offender or suspect, although a person may be arrested by the use of words alone.

If excessive or unreasonable force is used, the person making the arrest may be prosecuted for the criminal offence of assault and/or found liable to pay damages in civil proceedings. This is in accordance with **The Criminal Law Act 1967, Section 3**.

## Unlawful Arrest and the Human Rights Act 1998

Unless an arrest is made strictly within the bounds of PACE Sections 24 and 28, the person making the arrest could face a civil action and/or criminal proceedings for false imprisonment.

This fact is reinforced by the Human Rights Act 1998 (law from 2 October 2000). Article 5, which deals with the right to Liberty and Security, is reproduced below for you to read. You will note which arrests are lawful (as Security Managers your arrest should be in accordance with Paragraph 1c) and the fact that people who believe they have been unlawfully arrested will be allowed to take proceedings and if successful they will be entitled to compensation, which may well be substantial.

## SECURITY FOUNDATION PROGRAMME

## Section 4: Actions on and after Arrest

## Human Rights Act 1998

## Article 5

## Right to Liberty and Security

1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:
  - (a) the lawful detention of a person after conviction by a competent Court;
  - (b) the lawful arrest or detention of a person for non-compliance with the lawful order of a Court or in order to secure the fulfilment of any obligation prescribed by law;
  - (c) the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;
  - (d) the detention of a minor by lawful order for the purpose of educational supervision of his lawful detention for the purpose of bringing him before the competent legal authority;
  - (e) the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;
  - (f) the lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.
2. Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.
3. Everyone arrested or detained in accordance with the provisions of paragraph 1(c) of this Article shall be brought promptly before a Judge or other Officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.



## SECURITY FOUNDATION PROGRAMME

## Section 4: Actions on and after Arrest

4. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a Court and his release ordered if the detention is not lawful.
5. Everyone who has been the victim of arrest or detention in contravention of the provisions of this Article shall have an enforceable right to compensation.

## SECURITY FOUNDATION PROGRAMME

## Section 4: Actions on and after Arrest

As you can see it is vital that you have a sound understanding of the powers of arrest. To help you consolidate your understanding of what has been covered in this Workbook please read The Arrest Procedure Policy in Investigation Policies.

When you have done this answer the following questions:

Q9. What is the first thing you must do after arresting someone?

Q10. Give two examples of when an arrest may be considered unlawful?

Q11. What does a Security Manager have to consider if an interviewee states they are leaving (or asks what will happen if they leave)?

## SECURITY FOUNDATION PROGRAMME

## Section 4: Actions on and after Arrest



Check your answers with the following:

Q9. What is the first thing you must do after arresting someone?

*After telling them they are under arrest and the reason for it, you should caution them and make a note in your Notebook of the circumstances around the arrest.*

Q10. Give two examples of when an arrest may be considered unlawful?

Your answer may have included two of the following reasons where an arrest may be unlawful:

- unless at the time of the arrest (or soon after) the person is informed that they are under arrest and the grounds of the arrest;
- if it has not been made clear to the arrested person that they have been arrested and are not free to leave;
- if the power is not exercised for proper purpose, and the arresting person knows at the time there is no possibility of a charge being made;
- if sufficiently clear words are not used when the arrest is made;
- if reasons given point to an offence for which no power of arrest is given, and it is clear that no other reasons were present in the mind of the arresting person;
- if the grounds for arrest are not reasonable.

Q11. What does a Security Manager have to consider if an interviewee states they are leaving (or asks what will happen if they leave)?

*The Security Manager must decide whether they have the power to arrest the individual and whether it is desirable to do so.*

If you are uncertain about anything you have completed or read in this module so far, please speak to your Line Manager.

## SECURITY FOUNDATION PROGRAMME

## Summary

This module focused on the powers of arrest you have as a Security Manager.

In Section 1 we explored what constitutes an arrestable offence. In particular we looked at the definitions applied by Section 24 (Subsections 1 - 3) of PACE.

Section 2 looked at the powers of arrest we all have as citizens. Again, Section 24 (this time Subsections 4 and 5) of PACE defines when a citizen can effect an arrest. We saw that you, as a Security Manager, can only effect an arrest if you have reasonable grounds to suspect that an arrestable offence is being committed or, where an arrestable offence has been committed, you have reasonable grounds to suspect a particular person.

In Section 3 we dealt with the additional powers Police Officers have to effect an arrest. These are detailed in Section 24 (Subsections 6 and 7) of PACE. We saw that the Police have the power to arrest if they have reasonable grounds to suspect an arrestable offence has been committed and they can arrest before an arrestable offence has been committed, providing they have reasonable grounds to believe an offence will be committed.

Finally, in Section 4 we looked at the actions required after an arrest has taken place.

## SECURITY FOUNDATION PROGRAMME

## Progress Check



To check your understanding of the complete module please answer the following questions:

Q1. Which of the following constitutes an arrestable offence according to Section 24 (Subsection 1b) of PACE?  
Tick all those that apply.

- ☐ Racially aggravated harassment
- ☐ Handling stolen goods
- ☐ Murder
- ☐ Conspiring to commit robbery
- ☐ Burglary
- ☐ Carrying an offensive weapon

Q2. What does the acronym S.O.D.A. stand for?

- ☐ S –
- ☐ O –
- ☐ D –
- ☐ A –

Q3. What are the major differences between the arresting powers of a Security Manager and those of a Police Constable?

## SECURITY FOUNDATION PROGRAMME

## Progress Check

Q4. Under which of the following circumstances can you, as a citizen, effect an arrest without a warrant?  
Tick all those that apply.

☐ Where an arrestable offence is actually being committed.

☐ Where you have reasonable grounds to believe an arrestable offence is going to be committed.

☐ Where an arrestable offence has already been committed.

Q5. When you arrest someone what information must they be given?

Q6. Define your powers under Sections 24 (4) & (5) of PACE.

*Section 24 (4)*

*Section 24 (5)*

Now check your answers with those on the following pages.



## SECURITY FOUNDATION PROGRAMME

## Progress Check



Q1. Which of the following constitutes an arrestable offence according to Section 24 (Subsection 1b) of PACE?  
Tick all those that apply.

- ☐ Racially aggravated harassment
- ☒ Handling stolen goods
- ☐ Murder
- ☐ Conspiring to commit robbery
- ☒ Burglary
- ☐ Carrying an offensive weapon

Q2. What does the acronym S.O.D.A. stand for?

- S** Sentence fixed by law.
- O** Offences for which a person of 21 years of age or over (not previously convicted) may be sentenced to imprisonment for a term of five years or more.
- D** Deemed arrestable by Statute.
- A** Attempting, conspiring, inciting, aiding, abetting, counselling or procuring any offence detailed in the Section 24 (2).

Q3. What are the major differences between the arresting powers of a Security Manager and those of a Police Constable?

*The major difference is that Security Managers have to know an arrestable offence has been committed, or have reasonable grounds to believe a person is in the act of committing such an offence, whereas a Police Constable only has to have reasonable grounds to suspect that an arrestable offence has been committed, and he can arrest if he has reasonable grounds to suspect that an arrestable offence is about to be committed.*

## SECURITY FOUNDATION PROGRAMME

## Progress Check

Q4. Under which of the following circumstances can you, as a citizen, effect an arrest without a warrant?  
Tick all those that apply.

- ☒ Where an arrestable offence is actually being committed.
- ☐ Where you have reasonable grounds to believe an arrestable offence is going to be committed.
- ☒ Where an arrestable offence has already been committed.

Q5. When you arrest someone what information must they be given?

*For an arrest to be lawful and in accordance with Section 28 (1) of PACE, the person who is arrested should be informed that they are under arrest and the grounds for the arrest as soon as practicable after the arrest. The arrested person should then be formally cautioned and a note made in your Notebook.*

Q6. Define your powers under Section 24 (4) & (5) of PACE.

- Section 24 (4)**  
Any person may arrest without warrant:
- a) anyone who is in the act of committing an arrestable offence;
  - b) anyone whom he has reasonable grounds for suspecting to be committing such an offence.

- Section 24 (5)**  
Where an arrestable offence has been committed any person may arrest without warrant:

- a) anyone who is guilty of the offence;
- b) anyone whom he has reasonable grounds for suspecting to be guilty of it.

## SECURITY FOUNDATION PROGRAMME

# Notes