

Date: 01/02/2022

Our Reference: FOIA-2022-004

RE: Your request for information under the Freedom of Information Act 2000

I write in response to your Freedom of Information request, dated 07/01/2022, which you requested:

What date was the publication DEALING WITH ENFORCEMENT OFFICERS 2015, Version 1.1 removed from the College of Policing curriculum?

Has the publication DEALING WITH ENFORCEMENT OFFICERS 2015, Version 1.1 been replaced with a new version? If so what date did the new version come into the College of Policing curriculum?

If there is a new version can you send me a link where I can view the publication?

If there is not a new version, can you explain how police officers are trained when dealing with disputes involving court enforcement officers acting on court warrants?

Decision

When a request for information is made under FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant.

In line with section 1(1) of the FoIA, I can confirm the College does hold some of the information you require. I will answer each part of your questions below, noted as 1-4.

1. After investigation I believe this document was released under FOIA-2017-118, If this is the referenced document, it is a learning resource associated with the Dealing with Enforcement Officers module. This module is part of the soon-to-be-decommissioned Initial Police Learning and Development Programme (IPLDP) and Initial Learning for Special Constables (IL4SC); however, this learning resource does not form part of the relevant curriculum.

2. The highlighted resource has not been replaced. However, the learning, now known as the National Policing Curriculum (NPC) for Dealing with Enforcement Officers was updated in December 2021, and is disclosed to you.
3. There is not a new version of the highlighted document.
4. Associated module specifications were previously released under FOIA-2017-118 (all documents attached), which outlines the training provided to officers when dealing with disputes involving court officers acting on court warrants.

Yours sincerely,

James Rose | Legal Advisor
Information Management and Legal Team
College of Policing
Email: FOI@college.pnn.police.uk
Website: www.college.police.uk

Appendix A

Your right of review

Under the Freedom of Information Act 2000 you have a right to request an internal review if you are dissatisfied with our handling of your request. Review requests should be made in writing (by email or post) within 40 working days from the date of our original response. We will aim to respond to your review request within 20 working days.

The Information Commissioner's Office (ICO)

If, after lodging a review request you are still dissatisfied, you may raise the matter with the ICO. For further information you can visit their website at <https://ico.org.uk/for-the-public/official-information/>. Alternatively, you can contact them by phone or write to them at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113

National Policing Curriculum Module Specification

Module Title:

Dealing with Enforcement Officers

Programme Title:

IPLDP, IL4SC

Curriculum Code: PRCRA404

1. Introduction

Module Overview:

In this module learners will look at the role of an Enforcement Officer (EO) and the type of functions they perform. It will cover the role and purpose of police when attending incidents involving Enforcement Officers and members of the public, and outline what actions police can and cannot take in such situations.

Target Audience:

Required:

IPLDP

Optional:

IL4SC

Pre-Requisites:

Prior Learning:

IVSTA419 Correct use of Arrests and Warrants

COREX401 National Decision Model

COREA400 Police Ethics and Values

Force equality and diversity policy

Prior Experience:

None

Co-Requisites:

IVSTA414 Other Policing Incidents

Post-Requisites:

None

2. Learning Outcomes

On successful completion of this module, learners will be able to:

1. **Explain who Enforcement Officers (EO) are and who they work for**
2. **Give examples of some of the activities that Enforcement Officers undertake in the course of their duties**
3. **Explain the role of a police officer attending incidents involving Enforcement Officers**

3. Learning Content

1. **Explain who Enforcement Officers (EO) are and who they work for**
 - 1.1. Civilian employees of court-appointed debt collection companies
 - 1.2. They are “certificated” debt or property recovery agents
 - 1.3. They are also known as;
 - a. Certificated Enforcement Officers
 - b. High Court Enforcement Officers
 - c. County Court and/or Family Court Bailiffs
 - d. Civilian Enforcement Officers
 - e. EOs, bailiffs, sheriffs

1.4. They may be members of the High Court Enforcement Officers' Association (HCEOA)

2. Give examples of some of the activities that Enforcement Officers undertake in the course of their duties

2.1. Recover debts arising from court judgements against a debtor

2.2. As court-appointed agents they will deal with, and collect, for example:

a. Unpaid taxes and fines

b. Overdue/unpaid maintenance payments from ex-spouses

c. Unpaid parking fines

d. Commercial rent arrears arising from landlord/tenant disputes

e. Repossessed goods under defaulted hire purchase agreements

f. Goods to the value of the adjudged debt to the creditor

2.3. They should comply with strict Codes of Conduct set by professional organisations e.g. the High Court Enforcement Officer's Association (HCEOA)

3. Explain the role of a police officer attending incidents involving Enforcement Officers

3.1. Main police focus;

a. To prevent a Breach of the Peace

b. To prevent further crimes by any party e.g. assault or criminal damage

3.2. What a police officer must not do when Enforcement Officers are taking action

a. Challenge or otherwise comment on the court's judgement or its processes

b. Interfere except to do their duty as outlined above in 3.1.

c. Mediate or enter into negotiations with any party

d. Lift/move things that might be recovered/seized

e. Be seen to be in any way partisan

3.3. What a police officer should do when Enforcement Officers are taking action:

a. Be mindful that the situation could be stressful and distressing

b. Be mindful that the Enforcement Officer is entitled to be assertive and robust but must not be aggressive

- c. Consider checking the credentials of the Enforcement Officer in relation to;
 - Their company/employer
 - Their identity and certification (if they are not legitimate EOs they may be committing fraud)
 - Contact telephone numbers, e.g. of the company or court
- 3.4. Be aware of what an Enforcement Officer can or cannot do, for example:
 - a. Use force to enter a premises except in certain circumstances
- 3.5. Be aware of what an Enforcement Officer can or cannot remove/lay claim to, for example:
 - a. Cannot take items such as certain domestic appliances, clothing and work tools which the absence of may put the debtor at risk
- 3.6. Consider the implications of any party being vulnerable, especially if mental ill-health issues are known or suspected, and including for example:
 - a. Age
 - b. Health issues
 - c. Lone parenting
 - d. The presence of children
- 3.7. Consider police duties/actions in the light of the National Decision Model and the Code of Ethics

4. Learning Resources Available

Trainer Resources	No
Learner Resources	Yes
Digital Learning	No
Immersive Learning	No
Assessment Resources	No

5. Metadata List

Enforcement Officers

Bailiffs

Sheriffs

Debt recovery

High Court Enforcement Officers

Association

HCEOA

Court-appointed debt recovery



Date: 11/01/2018

Our Reference: FOIA-2017-0118

RE: Freedom of Information Act 2000 Request

I write in response to your Freedom of Information Act 2000 (or 'FoIA 2000') request dated 12/12/17. I note from your request that you seek the following information:

*"1. The policy of Staffordshire Constabulary in rendering police assistance to Bailiffs/Civil Enforcement Agents, in matters of civil dispute, contrary to section 26 of the Criminal Justice and Courts Act 2015.
2. The training given to officers of your force in order to examine and judge the validity of alleged documents of authority in civil matters as valid such as warrants of entry or control, and to make or exercise legal determination based on that judgement.
This is not a request for legal advice. A true and honest response is within the public interest."*

Decision

After conducting careful searches for any information relevant to your request I can confirm that there is information held.

Question 1: No information held.

Question 2: Please find the three attached disclosures. These have been taken from the training curriculum, with two being learning standards and one being a student note.

When a request for information is made under the FoIA 2000 a public authority must inform you, when permitted, whether the information requested is held. It must then communicate that information to you. If a public authority decides that it cannot comply with all or part of a request, it must cite the appropriate section or exemption of the Act and provide you with an explanation.

It is important to note that a FoIA 2000 request is not a private transaction. Both the request itself and any information disclosed are considered suitable for open publication, that is, once access to information is granted to one person under the FoIA 2000, it is then considered public information and must be

communicated to any individual should a request be received. Any information released under the FoIA 2000 will also be published on the College of Policing's website at a later date.

May I take this opportunity to thank you for your interest in the College of Policing. Your attention is drawn to the complaint rights provided in Appendix **A**.

Yours sincerely,

James Rose | Legal Advisor
Ethics, Integrity and Public Interest Unit
College of Policing

Email: FOI@college.pnn.police.uk

Website: www.college.police.uk

Appendix A

Complaint Rights

If you are dissatisfied with the handling procedures or the decision of the College of Policing made under the Freedom of Information Act 2000 (the Act) regarding access to information you can lodge a complaint with the College of Policing to have the decision reviewed.

Complaints should be made in writing, within **forty (40) working days** from the date of the refusal notice, and addressed to: FOI team, Central House, Beckwith Knowle, Otley Road, Harrogate, North Yorkshire, HG3 1UF or email: FOI@college.pnn.police.uk

In all possible circumstances the College of Policing will aim to respond to your request for internal review within **20 working days**.

The Information Commissioner

If, after lodging a complaint with the College of Policing you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk/for-the-public/official-information/>.

Alternatively, write to:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: +44 (0)1625 545 700



College of
Policing

college.police.uk

Dealing with Enforcement Officers

Student Notes

Version 1.1

College of Policing Limited
Leamington Road
Ryton-on-Dunsmore
Coventry, CV8 3EN

© – College of Policing Limited (2015)

All rights reserved. No part of this publication may be reproduced, modified, amended, stored in any retrieval system or transmitted, in any form or by any means, without the prior written permission of the College or as expressly permitted by law.

Anyone wishing to copy or re-use all or part of this publication for purposes other than expressly permitted by law will need a licence. Licence applications can be sent to NationalPolicingCurriculumEnquiries@college.pnn.police.uk.

Where we have identified any third-party copyright material you will need permission from the copyright holders concerned. This publication may contain public sector information licensed under the Open Government Licence v3.0 at www.nationalarchives.gov.uk/doc/open-government-licence/version/3/

Any other enquiries regarding this publication please contact us at NationalPolicingCurriculumEnquiries@college.pnn.police.uk.

The College of Policing is committed to providing fair access to learning and development for all its learners and staff. To support this commitment, this document can be provided in alternative formats by contacting NationalPolicingCurriculumEnquiries@college.pnn.police.uk.

Contents

1. Dealing with Enforcement Officers	4
1.1 Overview	4
1.2 Introduction	4
1.3 Who are EOs and who do they work for?	5
1.4 What do EOs do?	5
1.5 The role of the police.....	7

1. Dealing with Enforcement Officers

1.1 Overview

These notes provide the basic awareness and knowledge requirements of police officers engaged in “non-crime” incidents of working with Enforcement Officers (bailiffs) when the latter are executing their duties of debt recovery. The notes are intended to complement other relevant Initial Learning and Development Programme materials (principally Other Policing Incidents), national and local force policies and good practice. They should not be regarded as definitive legal reference or specialist guidance.

These notes satisfy the learning outcomes for this module specified on the National Policing Curriculum, namely:

- Who Enforcement Officers are and who they work for
- What Enforcement Officers do
- The role of the police when attending incidents involving Enforcement Officers

These notes are for Police Officers and IL4SC Phase 3.

1.2 Introduction

These notes outline your powers and the correct action to take (and importantly, what not to take) when called to potentially serious disputes over money and property involving Enforcement Officers (EO).

It is vital that you act impartially in circumstances that can be stressful to all parties, but if it is necessary to take action you should do so positively. The Enforcement Officers should have a clear idea of the law, their powers and the finer details of the matter in hand, i.e. who owes what to whom and why etc. but the “debtor”, i.e. the person receiving the visit, might not. The debtor could therefore feel threatened and overwhelmed in the face of what they may perceive as unreasonable behaviour or over-robustness. Alternatively, the debtor might be fully aware of what is going on but be wrongly over-zealous in protecting or retaining their property when they have no right to do so.

Some of these incidents go relatively smoothly, at least as far as police involvement goes, but others do not and there is the potential for them to flare up.

1.3 Who are EOs and who do they work for?

An Enforcement Officer (EO) is a person legally authorised to collect a debt on behalf of a creditor and may be employed by any number of debt collecting organisations. They are civilian employees of court-appointed private companies (commonly known as debt collectors) and used to be more widely known as “bailiffs” or “sheriffs” although the term EO is now favoured.

They are, in effect, debt or recovery agents and can also be called:

- Certificated EOs
- High Court EOs
- County Court and/or Family Court Bailiffs
- Civilian EOs

As with door-keepers for example, who should be members of and accredited by their own Security Industry Association, EOs should be certificated and are likely to be members of the High Court Enforcement Officers' Association (HCEOA). The HCEOA has its own website that contains further interesting detail should you require it. Likewise, the UK's official .gov website contains the National Standards for EOs and this also contains further detail should you need it – both lay out the EO's Codes of Conduct at length.

1.4 What do EOs do?

Essentially they recover debts in person, in the form of monetary payments or property recovery to the value of the debt, arising from court judgements against a debtor. Such debts can arise and court judgements be made from them through a variety of circumstances and recovery can be sought by way of warrants or writs for such things as:

- Unpaid taxes or fines
- Overdue/unpaid maintenance payments from an ex-spouse
- Unpaid compensation
- Unpaid parking fines
- Commercial rent arrears arising from landlord/tenant disputes
- Goods under default because of unfulfilled liabilities in a hire purchase agreement

The EO may seek to walk away with cash, a cheque or a debit/credit card payment to the exact value of the adjudged debt, or property to the same value.

Whatever it is they are after they should behave not only in terms of the law (both civil and criminal) but also in accordance with the Codes of Conduct laid down by the HCEOA.

The usual authority of an EO, i.e. what gives them their power to act in any given circumstance, is a warrant or writ issued by the court to recover goods or money owed, or goods to the value of monies owed, where the creditor has applied to the court for such a warrant. The type of court and warrant will depend on the type of debt but the key thing to remember is that an EO, provided they act lawfully, will be enforcing a court judgement and is fully entitled to do so.

EOs cannot:

- Generally speaking, they cannot enter a home by force, e.g. push past or break down doors etc. However, you should note that they can “reasonably” force their way in to collect unpaid criminal fines, Income Tax or Stamp Duty but only as a last resort:
 - A power to enter premises by force exists for the execution of High Court and County Court debts at business premises or at any premises where an enforcement agent is enforcing **criminal** penalties. This power should only be used to the extent that it is reasonably required and only after the debtor has been warned that the power exists and what the consequences of a wilful refusal to cooperate might result in
 - A power to re-enter premises by force applies to both residential and business premises where a controlled goods agreement is in place and the goods remain on the premises but the debtor has failed to comply with the repayment terms of the controlled goods agreement. This power should only be used to the extent that it is reasonably required and only after the debtor has been given notice of the enforcement agent’s intention to re-enter
- They cannot enter if only children under 16 or vulnerable people are present. The HCEOA Code of Conduct outlines their definition of vulnerable:
 - the elderly
 - people with a disability
 - the seriously ill
 - the recently bereaved

- single parent families
- pregnant women
- unemployed people
- those who have obvious difficulty in understanding, speaking or reading English
- They cannot enter between 2100 and 0600 hours nor can they enter on Sundays, Good Friday or Christmas Day
- They cannot enter through anything other than a door or usual means of entry

EOs must give at least 7 days' notice of their first visit to the person they are intending to visit.

1.5 The role of the police

The bottom line is that your role is purely to prevent any Breach of the Peace or prevent any crime. You may well be asked to attend by EOs if they are anticipating problems or be called to premises by the debtor/occupier if they are disputing the actions of an EO.

Your role, as with any other civil dispute, is to prevent a Breach of the Peace by any party and you should only act with regard to this or any other offence(s) disclosed, e.g. assault or criminal damage by any party.

What you should not do:

- Challenge or otherwise comment on the perceived rights or wrongs of the court judgement – this includes the value (precise or otherwise) of the money or goods sought or the facts of the matter being dealt with or which gave rise to the visit
- Act as an arbitrator, mediator or negotiator, nor should you be drawn into any discussion
- Be seen as being in any way partisan
- Interfere in any way other than regarding Breaches of the Peace or criminality – this includes not helping anyone to lift, move or load anything

What you should do:

- Be mindful that some or all the parties might be wound up and stressed – the EO is entitled to be robust but should not be aggressive, although the two might well be confused in the mind of the debtor

- Consider establishing the bona fides of the EO relating to:
 - The company they work for
 - The EO's identity and certification, e.g. if they claim to be an EO and are not they may be committing fraud
 - Checkable contact telephone numbers, e.g. of their company or the relevant court
 - Possession by the EO of the relevant paperwork, e.g. the warrant itself and what it empowers them to do – their lawful authority
- Be aware of what the EO can or cannot do in the given circumstances, e.g. not use force to enter except in certain circumstances as outlined above
- Be aware of what an EO can or cannot remove or lay claim to:
 - They can take luxury items like TVs, computers, cars etc.
 - They cannot take things the person needs to reasonably survive, e.g. fridge, cooker, clothing, and work tools and work equipment which tools/kit added together are worth less than £1350
- Consider the implications of any party being especially vulnerable as outlined above
- As ever, be mindful of your duties/actions in the light of the National Decision Model and the Code of Ethics

If there is a court order and the property/money is handed over willingly, or some other arrangement is negotiated between the EO and the debtor, then all is well but it is an offence (usually a Breach of the Peace unless other elements are present) for any force to be used to obtain the property/money, other than reasonable force to gain entry as outlined above.

Remember that an EO is fully entitled to be robust, assertive and effective but must not be aggressive or violent. To reiterate – whilst you should not actively assist either party, if the EO were to be hindered in any way then that might constitute a Breach of the Peace. It will be worthwhile refreshing your detailed knowledge in this important element of common law but here are a few pointers:

- There must be the clearest of circumstances and a sufficiently real and present (imminent) threat to the Queen's Peace to justify an arrest if a person was not, at the time, acting unlawfully

- The threat of a Breach of the Peace must come from the person to be arrested, whose conduct must be unreasonable, i.e. the arrest should target the potential offenders and not non-offenders
- The conduct must clearly interfere with the rights of others
- The likely natural consequence of the conduct, were it not prevented, would be that violence would break out and in some circumstances that the violent conduct would not be wholly unreasonable, e.g. a person being abused by the individual making the threats might react to his tormentor
- Police officers must be very careful when arresting for Breach of the Peace. It is one of the few offences where a person may be arrested in order to prevent them doing something, without ever actually doing it, and you should make sure that the criteria outlined above have been met

In the case of *Bibby v Chief Constable of Essex Police* [2000] asking a bailiff to leave the premises, even though he was not the prime culprit of a potential Breach of the Peace, was considered to be a reasonable solution given the circumstances at the time. Be mindful, however, that EOs have their duty to perform so an action like this would need very compelling justification.

As ever, each incident is likely to be different and you will be called upon to use your best judgement. In an inflamed situation the temptation to make an arrest may be strong but in the case of, for example, a minor assault or minor damage you might have the option of taking action later when the scene has calmed down a bit and tempers are less frayed.

Finally, if an arrest becomes necessary because of the continuing deterioration of the situation and the refusal to leave by the appropriate individuals, an arrest could possibly be made (assuming an appropriate condition for arrest can be met) for obstructing an officer in the execution of their duty, and that this could apply to any person present.



National Policing Curriculum Module Specification

Module Title:

Correct use of Arrest and Warrants

Programme Title:

IPLDP, IL4SC, PCSO and Pre-Join

Curriculum Code: IVSTA419

1. Introduction

Module Overview:

This module will develop learners to be able to explain their powers of arrest under the Police and Criminal Evidence Act 1984 (PACE). It will cover how to risk assess an individual prior to arrest and the issues to consider to determine whether an arrest is the most appropriate response. Learners will learn how to lawfully make an arrest using reasonable force if necessary and the meaning of the terms 'significant statement,' 'relevant comment' and 'significant silence.' Learners will find out about the different types of cautions and how to issue summons and warrants and be able to explain when details about a suspect might be circulated.

Target Audience:

Required:

IPLDP

IL4SC Phase 1

PCSO (highlighted outcomes only)

Pre-Join

Optional:

None

Pre-Requisites:

Prior Learning:

None

Prior Experience:

None

Co-Requisites:

None

Post-Requisites:

None

2. Learning Outcomes

On successful completion of this module, learners will be able to:

Planning or Deciding to Arrest

1. Describe the information which should be considered in a risk assessment prior to arrest
2. Outline how to use cautions prior to an arrest or questioning
3. Outline how to respond to a relevant comment, significant statement or significant silence
4. Detail what to consider when deciding whether an arrest is appropriate
5. State additional factors to consider when planning to arrest a known suspect

Utilising Police Powers of Arrest

6. Explain how to make an arrest
7. Explain the powers of arrest without warrant (constables)

8. Explain the powers of arrest without warrant (other persons)
9. Outline when force may and may not be used during arrest
10. State the procedure to follow during an arrest

Dealing with Suspects and Offenders

11. Explain how to deal with suspects and offenders
12. Explain the power to require name and address
13. Explain the power to detain or accompany a person to a police station
14. Explain the term 'use of force' in relation to detained persons

Identification Methods

15. Summarise the various methods of identification

Summons and Warrants

16. Explain the process for generating and serving a summons
17. Summarise the process for generating and executing a warrant

Circulating wanted and suspected persons

18. Outline the reasons for circulating information about a person who is wanted for or suspected of committing an offence

3. Learning Content

Planning or Deciding to Arrest

- 1. Describe the information which should be considered in a risk assessment prior to arrest**
 - 1.1. Information about the event that is known or believed to have happened
 - 1.2. Information about the individual
 - 1.3. Information provided by family members or witnesses
 - 1.4. Information which denotes a change of circumstance
 - 1.5. Information linked to the location of the incident
- 2. Outline how to use cautions prior to an arrest or questioning**
 - 2.1. Circumstances when an individual should be cautioned

- 2.2. Circumstances when a person being questioned would not require to be cautioned
- 2.3. Correct use of the 'when questioned' caution
- 2.4. Correct use of the 'now' caution
- 2.5. Correct use of the 'restricted' caution

3. Outline how to respond to a relevant comment, significant statement or significant silence

- 3.1. The meaning of the term 'significant statement'
- 3.2. The meaning of the term 'relevant comment'
- 3.3. The meaning of the term 'significant silence'
- 3.4. Restrictions on the drawing of adverse inferences from silences
- 3.5. The procedure for recording significant statements, relevant comments and significant silences
- 3.6. The implications of incorrectly recording significant statements, relevant comments and significant silences

4. Detail what to consider when deciding whether an arrest is appropriate

- 4.1. The use of warnings prior to arrest
- 4.2. Is the behaviour a sign of medical or mental ill health requiring immediate medical assistance?
- 4.3. What to do if a suspect shows signs of physical or mental ill health requiring immediate assistance
- 4.4. Indications that suggest an arrest is not appropriate
- 4.5. Responsibility of arresting officer to identify opportunities to divert people from Criminal Justice System
- 4.6. The impact of unlawful arrest on the reputation of the force

5. State additional factors to consider when planning to arrest a known suspect

- 5.1. Factors that may influence the timing of the arrest of a known suspect
- 5.2. Information required when briefing to support planned arrests
- 5.3. Health and safety issues to consider when planning an arrest

Utilising Police Powers of Arrest

6. Explain how to make an arrest

- 6.1. How to make a lawful arrest
- 6.2. Dealing with people in an ethical manner, recognising their needs with respect to equality, diversity and human rights

7. Explain the powers of arrest without warrant (constables)

- 7.1. The power of arrest without warrant for constables under Section 24 of PACE 1984
- 7.2. The two elements required for the lawful arrest of a person under Section 24 of PACE 1984
 - a. The meaning of the term 'reasonable grounds to suspect'
 - b. The meaning of the term 'reasonable grounds for believing'
- 7.3. The 'necessity' criteria for arrest

8. Explain the powers of arrest without warrant (other persons)

- 8.1. The meaning of the term 'arrest'
- 8.2. The purpose of an arrest
- 8.3. The power of arrest for 'other persons' under Section 24A PACE
- 8.4. The term 'reasonable grounds for suspecting'
- 8.5. The two requirements which must be fulfilled to make an arrest under Section 24A PACE exercisable
- 8.6. The four reasons that would make an arrest necessary under Section 24A of PACE
- 8.7. Examples of each of the four reasons for arrest under Section 24A PACE
- 8.8. The information that must be given to an individual upon their arrest as listed in Section 28 PACE

9. Outline when force may and may not be used during arrest

- 9.1. Legal powers of restraint
 - a. Section 117 of PACE
 - b. Section 76 of the Criminal Justice and Immigration Act 2008
 - c. Section 3 of the Criminal Law Act 1967
- 9.2. Rationale to consider before using restraint or force

- 9.3. Use of restraint within a health or care setting
- 9.4. Recording of use of force during arrest
- 9.5. Lessons learned from local or national cases of restraint

10. State the procedure to follow during an arrest (incl PCSO)

- 10.1. Information which must be given to the individual (PACE Code G)
- 10.2. Circumstances in which this information may be delayed
- 10.3. The consequences of failing to arrest lawfully
- 10.4. Information which should be recorded during an arrest
- 10.5. The procedure for arresting an individual for further offences whilst in custody (Section 31 of PACE)
- 10.6. Circumstances where a detained person should be 'de-arrested' under Section 30(7) of PACE

Dealing with Suspects and Offenders (PCSO only)

11. Explain how to deal with suspects and offenders

- 11.1. The need to clearly inform the person of the suspected offence, the action that they are taking and the procedures involved

12. Explain the power to require name and address

- 12.1. The powers to require the name and address of a person who is suspected of committing a 'relevant offence' or relevant licensing offence under Paragraph 1A, Schedule 4, Police Reform Act 2002, and their power to require the name and address of a person acting in an anti-social manner under Paragraph 3, Schedule 4, Police Reform Act 2002
- 12.2. The term 'relevant offence' as defined in Paragraph 2(6), Schedule 4, Police Reform Act 2002

13. Explain the power to detain or accompany a person to a police station

- 13.1. The procedure where a suspect fails to comply with a requirement to give their name and address, or gives what is reasonably suspected to be false or inaccurate details
- 13.2. The requirement for a suspect to remain with them for a period, not exceeding 30 minutes, for the arrival of a constable or to accompany that person to a police station if they elect to do so

13.3. Where the officer may require the person to wait

13.4. The duties of a PCSO at the scene on arrival of a constable

13.5. The powers of a PCSO where control of a detained person is being transferred to another

13.6. Circumstances when a person must be released without delay

14. Explain the term 'use of force' in relation to detained persons

14.1. The power to use 'reasonable force' under Schedule 4 to the Police Reform Act 2002 to maintain control of a detained person or to prevent a detained person making off

14.2. The steps should be taken prior to resorting to force

Identification Methods

15. Summarise the various methods of identification

15.1. Identification of a suspect in accordance with legislation and policy

- a. The Mnemonic ADVOKATE and the significance of R v Turnbull [1976]
- b. The 'first description'
- c. The importance of recording any first description of an offender
- d. How to carry out a street identification
- e. The salient points of R v Hicken [1996]
- f. The term 'fairness' in relation to identification
- g. When photographs can be used to identify an offender
- h. Circumstances when an identification parade may be appropriate
- i. Circumstances when video identification may be appropriate
- j. Factors that adversely affect identification evidence

15.2. The various methods of identification

- a. Six methods of visually identifying a suspect
- b. The associated procedures for visual identification
- c. Two non-visual methods of identifying a suspect

Summons and Warrants

16. Explain the process for generating and serving a summons

- 16.1. The purpose of a summons
- 16.2. Types of summons
- 16.3. The stages in the process for generating a defendant summons
- 16.4. Information which must be included in a summons
- 16.5. Locations where a summons may be served

17. Summarise the process for generating and executing a warrant

- 17.1. Types of warrants
- 17.2. The reasons why a warrant of arrest may be issued
- 17.3. The process for executing warrants
 - a. arrest warrant
 - b. arrest warrants with bail conditions
 - c. warrants for non-payment of fines
 - d. European arrest warrants

Circulating wanted and suspected persons

18. Outline the reasons for circulating information about a person who is wanted for or suspected of committing an offence

- 18.1. The circumstances which justify circulating information about a person wanted or suspected
- 18.2. The difference between a person being wanted and a person being suspected
- 18.3. Methods for circulating information about persons wanted by the police

4. Learning Resources Available

Trainer Resources	Yes
Learner Resources	Yes
Digital Learning	No
	None
Immersive Learning	No
Assessment Resources	Yes

5. Metadata List

Caution

Circulating information

Significant statements

Significant silences

Relevant comments

Reasonable grounds

Risk

Force

National Policing Curriculum Module Specification

Module Title:

Dealing with Enforcement Officers

Programme Title:

IPLDP, IL4SC

Curriculum Code: PRCRA404

1. Introduction

Module Overview:

In this module learners will look at the role of an Enforcement Officer (EO) and the type of functions they perform. It will cover the role and purpose of police when attending incidents involving Enforcement Officers and members of the public, and outline what actions police can and cannot take in such situations.

Target Audience:

Required:

IPLDP

Optional:

IL4SC

Pre-Requisites:

Prior Learning:

IVSTA419 Correct use of Arrests and Warrants

COREX401 National Decision Model

COREA400 Police Ethics and Values

Force equality and diversity policy

Prior Experience:

None

Co-Requisites:

IVSTA414 Other Policing Incidents

Post-Requisites:

None

2. Learning Outcomes

On successful completion of this module, learners will be able to:

1. **Explain who Enforcement Officers (EO) are and who they work for**
2. **Give examples of some of the activities that Enforcement Officers undertake in the course of their duties**
3. **Explain the role of a police officer attending incidents involving Enforcement Officers**

3. Learning Content

1. **Explain who Enforcement Officers (EO) are and who they work for**
 - 1.1. Civilian employees of court-appointed debt collection companies
 - 1.2. They are “certificated” debt or property recovery agents
 - 1.3. They are also known as;
 - a. Certificated Enforcement Officers
 - b. High Court Enforcement Officers
 - c. County Court and/or Family Court Bailiffs
 - d. Civilian Enforcement Officers
 - e. EOs, bailiffs, sheriffs

1.4. They may be members of the High Court Enforcement Officers' Association (HCEOA)

2. Give examples of some of the activities that Enforcement Officers undertake in the course of their duties

2.1. Recover debts arising from court judgements against a debtor

2.2. As court-appointed agents they will deal with, and collect, for example:

a. Unpaid taxes and fines

b. Overdue/unpaid maintenance payments from ex-spouses

c. Unpaid parking fines

d. Commercial rent arrears arising from landlord/tenant disputes

e. Repossessed goods under defaulted hire purchase agreements

f. Goods to the value of the adjudged debt to the creditor

2.3. They should comply with strict Codes of Conduct set by professional organisations e.g. the High Court Enforcement Officer's Association (HCEOA)

3. Explain the role of a police officer attending incidents involving Enforcement Officers

3.1. Main police focus;

a. To prevent a Breach of the Peace

b. To prevent further crimes by any party e.g. assault or criminal damage

3.2. What a police officer must not do when Enforcement Officers are taking action

a. Challenge or otherwise comment on the court's judgement or its processes

b. Interfere except to do their duty as outlined above in 3.1.

c. Mediate or enter into negotiations with any party

d. Lift/move things that might be recovered/seized

e. Be seen to be in any way partisan

3.3. What a police officer should do when Enforcement Officers are taking action:

a. Be mindful that the situation could be stressful and distressing

b. Be mindful that the Enforcement Officer is entitled to be assertive and robust but must not be aggressive

- c. Consider checking the credentials of the Enforcement Officer in relation to;
 - Their company/employer
 - Their identity and certification (if they are not legitimate EOs they may be committing fraud)
 - Contact telephone numbers, e.g. of the company or court
- 3.4. Be aware of what an Enforcement Officer can or cannot do, for example:
 - a. Use force to enter a premises except in certain circumstances
- 3.5. Be aware of what an Enforcement Officer can or cannot remove/lay claim to, for example:
 - a. Cannot take items such as certain domestic appliances, clothing and work tools which the absence of may put the debtor at risk
- 3.6. Consider the implications of any party being vulnerable, especially if mental ill-health issues are known or suspected, and including for example:
 - a. Age
 - b. Health issues
 - c. Lone parenting
 - d. The presence of children
- 3.7. Consider police duties/actions in the light of the National Decision Model and the Code of Ethics

4. Learning Resources Available

Trainer Resources	No
Learner Resources	Yes
Digital Learning	No
Immersive Learning	No
Assessment Resources	No

5. Metadata List

Enforcement Officers

Bailiffs

Sheriffs

Debt recovery

High Court Enforcement Officers

Association

HCEOA

Court-appointed debt recovery