



Crime and Courts Act 2013

2013 CHAPTER 22

PART 2

COURTS AND JUSTICE

Administration of justice

30 Supreme Court security officers

- (1) In Part 3 of the Constitutional Reform Act 2005 (the Supreme Court) after section 51 insert—

“Court security

51A Security officers

- (1) A Supreme Court security officer is a person who is—
- appointed by the President of the Supreme Court under section 49(1) or provided under a contract, and
 - designated by the President as a Supreme Court security officer.
- (2) The President may give directions as to—
- training courses to be completed by Supreme Court security officers;
 - conditions to be met before a person may be designated as a Supreme Court security officer.
- (3) For the purposes of sections 51B to 51E, a Supreme Court security officer who is not readily identifiable as such (whether by means of uniform or badge or otherwise) is not to be regarded as acting in the execution of the officer's duty.
- (4) In those sections “court building” means any building—
- where the business of the Supreme Court, or of the Judicial Committee of the Privy Council, is carried on, and

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(b) to which the public has access.

51B Powers of search, exclusion, removal and restraint

- (1) A Supreme Court security officer acting in the execution of the officer's duty may search—
 - (a) any person who is in, or seeking to enter, a court building, and
 - (b) any article in the possession of such a person.
- (2) Subsection (1) does not authorise a Supreme Court security officer to require a person to remove any of the person's clothing other than a coat, jacket, headgear, gloves or footwear.
- (3) A Supreme Court security officer acting in the execution of the officer's duty may exclude or remove from a court building, or a part of a court building, any person who refuses—
 - (a) to permit a search under subsection (1), or
 - (b) to surrender an article in the person's possession when asked to do so under section 51C(1).
- (4) A Supreme Court security officer acting in the execution of the officer's duty may—
 - (a) restrain any person who is in a court building, or
 - (b) exclude or remove any person from a court building, or a part of a court building,
 if it is reasonably necessary to do so for one of the purposes given in subsection (5).
- (5) The purposes are—
 - (a) enabling business of the Supreme Court, or of the Judicial Committee of the Privy Council, to be carried on without interference or delay;
 - (b) maintaining order;
 - (c) securing the safety of any person in the court building.
- (6) A Supreme Court security officer acting in the execution of the officer's duty may remove any person from a courtroom at the request of—
 - (a) a judge of the Supreme Court, or
 - (b) a member of the Judicial Committee of the Privy Council.
- (7) The powers given by subsections (3), (4) and (6) include power to use reasonable force, where necessary.

51C Surrender, seizure and retention of knives and other articles

- (1) If a Supreme Court security officer acting in the execution of the officer's duty reasonably believes that an article in the possession of a person who is in, or seeking to enter, a court building ought to be surrendered on any of the grounds given in subsection (2), the officer must ask the person to surrender the article; and, if the person refuses to surrender the article, the officer may seize it.
- (2) The grounds are that the article—

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- (a) may jeopardise the maintenance of order in the court building (or a part of it),
 - (b) may put the safety of any person in the court building at risk, or
 - (c) may be evidence of, or in relation to, an offence.
- (3) Subject to subsection (4), a Supreme Court security officer may retain an article which was—
 - (a) surrendered in response to a request under subsection (1), or
 - (b) seized under that subsection,until the time when the person who surrendered it, or from whom it was seized, is leaving the court building.
- (4) If a Supreme Court security officer reasonably believes that the article may be evidence of, or in relation to, an offence, the officer may retain it until—
 - (a) the time when the person who surrendered it, or from whom it was seized, is leaving the court building, or
 - (b) the end of the permitted period,whichever is the later.
- (5) In subsection (4) “the permitted period” means such period, not exceeding 24 hours from the time the article was surrendered or seized, as will enable the Supreme Court security officer to draw the article to the attention of a constable.
- (6) Subsections (3) to (5) do not apply where a knife is—
 - (a) surrendered to a Supreme Court security officer in response to a request under subsection (1), or
 - (b) seized by a Supreme Court security officer under that subsection,but, instead, the knife must be retained in accordance with regulations under section 51D(3) unless returned or disposed of in accordance with those regulations or regulations under section 51D(1).
- (7) If a Supreme Court security officer reasonably believes that a retained knife may be evidence of, or in relation to, an offence, nothing in subsection (6) prevents the officer retaining the knife for so long as necessary to enable the officer to draw it to the attention of a constable.
- (8) In this section “knife” includes—
 - (a) a knife-blade, and
 - (b) any other article which—
 - (i) has a blade or is sharply pointed, and
 - (ii) is made or adapted for use for causing injury to the person.

51D Regulations about retention of knives and other articles

- (1) The Lord Chancellor may by regulations make provision as to—
 - (a) the provision to persons—
 - (i) by whom articles have been surrendered in response to a request under subsection (1) of section 51C, or
 - (ii) from whom articles have been seized under that subsection,

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- of written information about the powers of retention of Supreme Court security officers,
 - (b) the keeping of records about articles which have been so surrendered or seized,
 - (c) the period for which unclaimed articles have to be kept, and
 - (d) the disposal of unclaimed articles at the end of that period.
- (2) In subsection (1) “unclaimed article” means an article—
- (a) which has been retained under section 51C,
 - (b) which a person is entitled to have returned,
 - (c) which has not been returned, and
 - (d) whose return has not been requested by a person entitled to it.
- (3) Without prejudice to the generality of subsection (1), the Lord Chancellor must by regulations make provision as to—
- (a) the procedure to be followed when a knife is retained under section 51C;
 - (b) the making of requests by eligible persons for the return of knives so retained;
 - (c) the procedure to be followed when returning a knife pursuant to a request made in accordance with the regulations.
- (4) In subsection (3)—
- “eligible person”, in relation to a knife retained under section 51C, means—
- (a) the person who surrendered the knife under subsection (1) of section 51C or from whom the knife was seized under that subsection, or
 - (b) any other person specified in regulations under subsection (3);
- “knife” has the same meaning as in section 51C.

51E Assaulting and obstructing Supreme Court security officers

- (1) Any person who assaults a Supreme Court security officer acting in the execution of the officer's duty commits an offence.
- (2) A person guilty of an offence under subsection (1) is liable on summary conviction—
- (a) to imprisonment for a term not exceeding 12 months, or
 - (b) to a fine not exceeding level 5 on the standard scale, or
 - (c) to both.
- (3) Subsection (2) applies—
- (a) in England and Wales in relation to offences committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to impose imprisonment), and
 - (b) in Northern Ireland,
- as if the reference to 12 months were a reference to 6 months.

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- (4) A person who resists or wilfully obstructs a Supreme Court security officer acting in the execution of the officer's duty commits an offence.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”
- (2) In section 48(3)(a) of the Constitutional Reform Act 2005 (delegation of President's functions to chief executive) after “under section 49(1)” insert “ or 51A(1)(a) or (b) ”.

Commencement Information

II S. 30 in force at 1.10.2013 by [S.I. 2013/2200](#), [art. 3\(c\)](#)

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