

**Justice Committee**

**Criminal Justice (Scotland) Bill**

**Written submission from UNISON**

Thank you for the opportunity for UNISON Police Staff at the Justice Committee on 2 October.

As you intimated during the meeting, there was insufficient time during the hearing for the role of the Police Custody and Security Office (PCSO) to be discussed.

Section 1 of the Criminal Justice (Scotland) Bill deals with custody. However, the main body of staff who deal with custody has been, with one exception, omitted from the Bill.

The role of the PCSO is defined in Section 28 of the Police and Fire Reform (Scotland) Act 2012.

This section gives the PCSO clear authority to carry out roles as prescribed by that Act.

However, it would appear that the Criminal Justice (Scotland) Bill does not reflect the duties and roles of the PCSO. Referring to "Constable" throughout the document and not allowing the use of PCSO's as an alternative.

The only reference to Police Staff is in paragraph 33(5) which is very specific in that it refers to communicating with vulnerable people. It does not specifically relate to the role of the PCSO as it refers to Section 26(1) of the Act which is the Police Authorities general ability to appoint Police Staff. Examples of where it would be prudent to make specific reference to PCSOs are Chapter 6: paragraph 37: use of reasonable force; paragraph 40(2): power of search on arrest. These are specified in Section 28 of the Police and Fire Reform (Scotland) Act 2012.

We would be grateful if the Justice Committee would consider amendments to the Bill to reflect the PCSO role.

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