



Response to Request for Information

Reference FOI 000315
Date 27 July 2016

Litter Enforcement Officers – (PACE)

Request:

I would be grateful if you were to clarify the following :

- 1) Are 'Litter Enforcement Officers' subject to Police and Criminal Evidence Act (PACE)?
The litter enforcement officers are Authorised to issue FPNs and would need to comply with PACE where appropriate
- 2) Are their Pocket Notebooks covered by PACE?
The Council issues PACE compliant notebooks.
- 3) Are they obliged to give a 'PACE CAUTION' upon issuing or reporting an alleged offender?
No - after witnessing an offence of littering the only information required is the name, address and date of birth.
- 4) Are they obliged to prepare a Section 9 PACE Witness Statement for the Courts?
Yes.
- 5) Are they obliged to demonstrate and/or provide evidence to the alleged Offender or Court show the Act/Offence of Littering?
They are required to produce a witness statement describing the incident which is disclosed to the defendant before the hearing but photographic or CCTV evidence of the actual offence is not required.