
STATUTORY INSTRUMENTS

2007 No. 288

**The Police and Criminal Evidence
(Amendment) (Northern Ireland) Order 2007**

PART VI

QUESTIONING AND TREATMENT OF PERSONS BY POLICE

Definitions

- 25.**—(1) Article 53 of PACE (interpretation of Part VI) is amended as follows.
- (2) In paragraph (1), in the definition of “appropriate consent”, in paragraph (a) for “17” substitute “18”.
- (3) In paragraph (1) at the appropriate place insert—
- “analysis”, in relation to a skin impression, includes comparison and matching;”
- (4) In paragraph (1) for the definition of “fingerprints” substitute—
- “fingerprints”, in relation to any person, means a record (in any form and produced by any method) of the skin pattern and other physical characteristics or features of—
- (a) any of that person’s fingers; or
- (b) either of his palms;”.
- (5) In paragraph (1) in the definition of “intimate sample”, for paragraph (c) substitute—
- “(c) a swab taken from any part of a person’s genitals (including pubic hair) or from a person’s body orifice other than the mouth;”.
- (6) In paragraph (1) in the definition of “non-intimate sample”, for paragraph (c) substitute—
- “(c) a swab taken from any part of a person’s body other than a part from which a swab taken would be an intimate sample;”.
- (7) In paragraph (1) in the definition of “non-intimate sample”, for paragraph (e) substitute—
- “(e) a skin impression;”.
- (8) In paragraph (1) after the definition of “registered health care professional” insert—
- “skin impression”, in relation to any person, means any record (other than a fingerprint) which is a record (in any form and produced by any method) of the skin pattern and other physical characteristics or features of the whole or any part of his foot or of any other part of his body;”.
- (9) In paragraph (1) in the definition of “sufficient” and “insufficient”, after “means” insert “(subject to paragraph (3))”.
- (10) After paragraph (2) add—
- “(3) References in this Part to a sample’s proving insufficient include references to where, as a consequence of—
- (a) the loss, destruction or contamination of the whole or any part of the sample,

- (b) any damage to the whole or a part of the sample, or
- (c) the use of the whole or a part of the sample for an analysis which produced no results or which produced results some or all of which must be regarded, in the circumstances, as unreliable,

the sample has become unavailable or insufficient for the purpose of enabling information, or information of a particular description, to be obtained by means of analysis of the sample.”.