
STATUTORY INSTRUMENTS

2007 No. 288

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

PART VI

QUESTIONING AND TREATMENT OF PERSONS BY POLICE

Photographing of suspects. etc

36.—(1) Article 64A of PACE (photographing of suspects, etc.) is amended as follows.

(2) After paragraph (1) insert—

“(1A) A person falling within paragraph (1B) may, on the occasion of the relevant event referred to in paragraph (1B), be photographed elsewhere than at a police station—

- (a) with the appropriate consent; or
- (b) if the appropriate consent is withheld or it is not practicable to obtain it, without it.

(1B) A person falls within this paragraph if he has been—

- (a) arrested by a constable for an offence;
- (b) taken into custody by a constable after being arrested for an offence by a person other than a constable;
- (c) given a fixed penalty notice by a constable in uniform under Article 60 of the Road Traffic Offenders (Northern Ireland) Order 1996.”.

(3) In paragraph (4)(a), after “prosecution” insert “ or to the enforcement of a sentence ”.

(4) In paragraph (5), after sub-paragraph (b) insert

“; and

(c) “sentence” includes any order made by a court in Northern Ireland when dealing with an offender in respect of his offence.”.

(5) After paragraph (6) insert—

“(6A) In this Article, a “photograph” includes a moving image, and corresponding expressions shall be construed accordingly.”.

Changes to legislation:

There are currently no known outstanding effects for the The Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007, Section 36.