



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART VI

CODES OF PRACTICE—GENERAL

66 Codes of practice

The Secretary of State shall issue codes of practice in connection with—

- (a) the exercise by police officers of statutory powers—
 - (i) to search a person without first arresting him; or
 - (ii) to search a vehicle without making an arrest;
- (b) the detention, treatment, questioning and identification of persons by police officers ;
- (c) searches of premises by police officers ; and
- (d) the seizure of property found by police officers on persons or premises.

67 Codes of practice-supplementary

- (1) When the Secretary of State proposes to issue a code of practice to which this section applies, he shall prepare and publish a draft of that code, shall consider any representations made to him about the draft and may modify the draft accordingly.
- (2) This section applies to a code of practice under section 60 or 66 above.
- (3) The Secretary of State shall lay before both Houses of Parliament a draft of any code of practice prepared by him under this section.
- (4) When the Secretary of State has laid the draft of a code before Parliament, he may bring the code into operation by order made by statutory instrument.
- (5) No order under subsection (4) above shall have effect until approved by a resolution of each House of Parliament.

Status: This is the original version (as it was originally enacted).

- (6) An order bringing a code of practice into operation may contain such transitional provisions or savings as appear to the Secretary of State to be necessary or expedient in connection with the code of practice thereby brought into operation.
- (7) The Secretary of State may from time to time revise the whole or any part of a code of practice to which this section applies and issue that revised code ; and the foregoing provisions of this section shall apply (with appropriate modifications) to such a revised code as they apply to the first issue of a code.
- (8) A police officer shall be liable to disciplinary proceedings for a failure to comply with any provision of such a code, unless such proceedings are precluded by section 104 below.
- (9) Persons other than police officers who are charged with the duty of investigating offences or charging offenders shall in the discharge of that duty have regard to any relevant provision of such a code.
- (10) A failure on the part—
- (a) of a police officer to comply with any provision of such a code ; or
 - (b) of any person other than a police officer who is charged with the duty of investigating offences or charging offenders to have regard to any relevant provision of such a code in the discharge of that duty,
- shall not of itself render him liable to any criminal or civil proceedings.
- (11) In all criminal and civil proceedings any such code shall be admissible in evidence; and if any provision of such a code appears to the court or tribunal conducting the proceedings to be relevant to any question arising in the proceedings it shall be taken into account in determining that question.
- (12) In this section " criminal proceedings " includes—
- (a) proceedings in the United Kingdom or elsewhere before a court-martial constituted under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957 or a disciplinary court constituted under section 50 of the said Act of 1957 ;
 - (b) proceedings before the Courts-Martial Appeal Court; and
 - (c) proceedings before a Standing Civilian Court.