



Criminal Justice Act 1988

1988 CHAPTER 33

PART XI

MISCELLANEOUS

Amendments of Police and Criminal Evidence Act 1984 etc.

147 Searches of detained persons.

In section 54 of the ^{M1}Police and Criminal Evidence Act 1984 (searches of detained persons)—

- (a) the following paragraph shall be substituted for subsection (1)(b)—
 - “(b) arrested at the station or detained there under section 47(5) above.”; and
- (b) the following subsections shall be inserted after subsection (6)—
 - “(6A) A person who is in custody at a police station or is in police detention otherwise than at a police station may at any time be searched in order to ascertain whether he has with him anything which he could use for any of the purposes specified in subsection (4)(a) above.
 - (6B) Subject to subsection (6C) below, a constable may seize and retain, or cause to be seized and retained, anything found on such a search.
 - (6C) A constable may only seize clothes and personal effects in the circumstances specified in subsection (4) above.”.

Marginal Citations

M1 1984 c. 60.

Changes to legislation: Criminal Justice Act 1988, Cross Heading: Amendments of Police and Criminal Evidence Act 1984 etc. is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F1 148 Computer data about fingerprints.

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Textual Amendments

F1 S. 148 repealed (31.10.2013) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 10 Pt. 1** (with s. 97); S.I. 2013/2104, art. 3(d)

149 F2

Textual Amendments

F2 S. 149 repealed by S.I. 1989/1341 (N.I. 12), art. 90(2), **Sch. 7**

Changes to legislation:

Criminal Justice Act 1988, Cross Heading: Amendments of Police and Criminal Evidence Act 1984 etc. is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 36(2)(b)(v) and word inserted by [2019 c. 17 s. 13\(3\)\(b\)](#)
- s. 36(3A)(3B) substituted for s. 36(3A) by [2008 c. 4 s. 46\(2\)](#)
- s. 41(4A) inserted by [2004 c. 28 Sch. 10 para. 28](#)
- s. 139AZA(1)(a)(iii) and word inserted by [2019 c. 17 s. 13\(4\)\(b\)](#)