



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART IV

#### POLICE POWERS

##### *Powers of police to take body samples*

#### **54 Powers of police to take intimate body samples.**

- (1) Section 62 of the <sup>M1</sup>Police and Criminal Evidence Act 1984 (regulation of taking of intimate samples) shall be amended as follows.
- (2) After subsection (1) there shall be inserted the following subsection—
  - “(1A) An intimate sample may be taken from a person who is not in police detention but from whom, in the course of the investigation of an offence, two or more non-intimate samples suitable for the same means of analysis have been taken which have proved insufficient—
    - (a) if a police officer of at least the rank of superintendent authorises it to be taken; and
    - (b) if the appropriate consent is given.”.
- (3) In subsection (2)—
  - (a) after the word “authorisation” there shall be inserted the words “ under subsection (1) or (1A) above ”; and
  - (b) in paragraph (a), for the words “serious arrestable offence” there shall be substituted the words “ recordable offence ”.
- (4) In subsection (3), after the words “subsection (1)” there shall be inserted the words “ or (1A) ”.
- (5) <sup>F1</sup> .....

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*Changes to legislation: Criminal Justice and Public Order Act 1994, Section 54 is up to date with all changes known to be in force on or before 18 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*

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**Textual Amendments**

**F1** S. 54(5) repealed (1.4.2003) by 2002 c. 30, ss. 107(2), 108(2), Sch. 8; S.I. 2003/808, **art. 2(K)(I)(i)**

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**Marginal Citations**

**M1** 1984 c. 60.

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**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. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)