

## SCHEDULES

### SCHEDULE 8

#### DETENTION

##### PART I

#### TREATMENT OF PERSONS DETAINED UNDER SECTION 41 OR SCHEDULE 7

##### *Audio and video recording of interviews*

- 3 (1) The Secretary of State shall—
- (a) issue a code of practice about the audio recording of interviews to which this paragraph applies, and
  - (b) make an order requiring the audio recording of interviews to which this paragraph applies in accordance with any relevant code of practice under paragraph (a).
- (2) The Secretary of State may make an order requiring the video recording of—
- (a) interviews to which this paragraph applies;
  - (b) interviews to which this paragraph applies which take place in a particular Part of the United Kingdom.
- (3) An order under sub-paragraph (2) shall specify whether the video recording which it requires is to be silent or with sound.
- (4) Where an order is made under sub-paragraph (2)—
- (a) the Secretary of State shall issue a code of practice about the video recording of interviews to which the order applies, and
  - (b) the order shall require the interviews to be video recorded in accordance with any relevant code of practice under paragraph (a).
- (5) Where the Secretary of State has made an order under sub-paragraph (2) requiring certain interviews to be video recorded with sound—
- (a) he need not make an order under sub-paragraph (1)(b) in relation to those interviews, but
  - (b) he may do so.
- (6) This paragraph applies to any interview by a constable of a person detained under Schedule 7 or section 41 if the interview takes place in a police station.
- (7) A code of practice under this paragraph—
- (a) may make provision in relation to a particular Part of the United Kingdom;
  - (b) may make different provision for different Parts of the United Kingdom.