



# Police Reform Act 2002

## 2002 CHAPTER 30

### PART 4

#### POLICE POWERS ETC.

### CHAPTER 2

#### PROVISIONS MODIFYING AND SUPPLEMENTING POLICE POWERS

##### *Persons in police detention*

## **52 Detention reviews for detained persons who are asleep**

- (1) In section 40 of the 1984 Act (review of police detention), in subsection (8) for the words from “the substitution” to the end there shall be substituted “ the modifications specified in subsection (8A) ”.
- (2) After that subsection there shall be inserted—

“(8A) The modifications are—

  - (a) the substitution of references to the person whose detention is under review for references to the person arrested;
  - (b) the substitution of references to the review officer for references to the custody officer; and
  - (c) in subsection (6), the insertion of the following paragraph after paragraph (a)—

“( ) asleep;”
- (3) In subsection (10) of that section—
  - (a) for “(6)” there shall be substituted “ (6B) ”; and
  - (b) for the words from “the substitution” to the end there shall be substituted “ the modifications specified in subsection (10A) ”.

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**Changes to legislation:** Police Reform Act 2002, Section 52 is up to date with all changes known to be in force on or before 21 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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(4) After that subsection there shall be inserted—

“(10A) The modifications are—

- (a) the substitution of a reference to the person whose detention is under review for any reference to the person arrested or to the person charged; and
- (b) in subsection (5), the insertion of the following paragraph after paragraph (a)—
  - “( ) asleep;”

**Changes to legislation:**

Police Reform Act 2002, Section 52 is up to date with all changes known to be in force on or before 21 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.

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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. 26F inserted by [2023 c. 41 Sch. 13 para. 6](#)
- s. 28A(6A)(6B) inserted by [2023 c. 41 s. 45\(2\)](#)