



Police and Justice Act 2006

CHAPTER 48

POLICE AND JUSTICE ACT 2006

PART 1

POLICE REFORM

National Policing Improvement Agency

- 1 National Policing Improvement Agency

Police forces and police authorities

- 2 Amendments to the Police Act 1996
- 3 Delegation of police authority functions
- 4 Police authorities as best value authorities

Police pension schemes

- 5 Power to merge schemes

Statutory consultation requirements

- 6 Consultation with APA and ACPO

Community support officers etc

- 7 Standard powers and duties of community support officers
- 8 Community support officers: power to deal with truants
- 9 Exercise of police powers by civilians

PART 2

POWERS OF POLICE ETC

Police powers

- 10 Police bail
- 11 Power to detain pending DPP's decision about charging
- 12 Power to stop and search at aerodromes

Information from registers of death

- 13 Supply of information to police etc by Registrar General

Travel and freight information

- 14 Information-gathering powers: extension to domestic flights and voyages

Fixed penalty notices

- 15 Accreditation of weights and measures inspectors
- 16 Power to apply accreditation provisions

Conditional cautions

- 17 Conditional cautions: types of condition
- 18 Arrest for failing to comply with conditional caution

PART 3

CRIME AND ANTI-SOCIAL BEHAVIOUR

Crime and disorder

- 19 Local authority scrutiny of crime and disorder matters
- 20 Guidance and regulations regarding crime and disorder matters
- 21 Joint crime and disorder committees
- 22 Amendments to the Crime and Disorder Act 1998

Parenting contracts and parenting orders

- 23 Parenting contracts: local authorities and registered social landlords
- 24 Parenting orders: local authorities and registered social landlords
- 25 Contracting out of local authority functions with regard to parenting contracts and parenting orders

Injunctions

- 26 Anti-social behaviour injunctions
- 27 Injunctions in local authority proceedings: power of arrest and remand

PART 4

INSPECTORATES

- 28 Her Majesty's Chief Inspector of Prisons
- 29 Her Majesty's Inspectors of Constabulary
- 30 Her Majesty's Chief Inspector of the Crown Prosecution Service
- 31 Her Majesty's Inspectorate of the National Probation Service for England and Wales
- 32 Her Majesty's Inspectorate of Court Administration
- 33 Transitional provision

PART 5

MISCELLANEOUS

Bail offences

- 34 Sentences of imprisonment for bail offences

Computer misuse

- 35 Unauthorised access to computer material
36 Unauthorised acts with intent to impair operation of computer, etc
37 Making, supplying or obtaining articles for use in computer misuse offences
38 Transitional and saving provision

Forfeiture of indecent photographs of children

- 39 Forfeiture of indecent photographs of children: England and Wales
40 Forfeiture of indecent photographs of children: Northern Ireland

Independent Police Complaints Commission

- 41 Immigration and asylum enforcement functions: complaints and misconduct

Extradition

- 42 Amendments to the Extradition Act 2003 etc
43 Designation of United States of America

Repatriation of prisoners

- 44 Transfer of prisoner under international arrangements not requiring his consent

Live links

- 45 Attendance by accused at certain preliminary or sentencing hearings
46 Live link bail
47 Evidence of vulnerable accused
48 Appeals under Part 1 of the Criminal Appeal Act 1968

PART 6

SUPPLEMENTAL

- 49 Orders and regulations
50 Money
51 Power to make consequential and transitional provision etc
52 Amendments and repeals
53 Commencement
54 Extent
55 Short title

SCHEDULES

SCHEDULE 1 — National Policing Improvement Agency

Part 1 — OBJECTS AND POWERS

- 1 The Agency's objects
- 2 The Agency's principal power
- 3 Meaning of "listed police force" and "restrictedly listed police force" in paragraphs 1 and 2
- 4 Consultation: exercise of powers in relation to Scotland or Northern Ireland
- 5 Annual plans
- 6 Strategic priorities

Part 2 — MEMBERSHIP ETC

- 7 Chairman and other members
- 8 Tenure
- 9 An appointed member may resign by giving written notice to...
- 10 The Secretary of State may remove a person from office...
- 11 Re-appointment
- 12 Remuneration, pensions etc of appointed members
- 13 Chief executive
- 14 Staff remuneration
- 15 Staff pensions
- 16 (1) Sub-paragraph (2) applies where— (a) a person is, by...
- 17 Status of staff members as constables
- 18 Constables employed by the Agency: conditions of service
- 19 Regulations for constables employed by, or seconded to, the Agency
- 20 Liability for acts of police members of staff
- 21 Payment of amounts in connection with unlawful conduct of any staff
- 22 Delegation to committees, sub-committees and staff
- 23 Procedure
- 24 Proceedings of the Agency are not invalidated—
- 25 Application of seal and proof of documents
- 26 A document purporting to be duly executed under the seal...
- 27 Status

Part 3 — ACCOUNTABILITY AND SUPERVISION

- 28 Annual reports
- 29 Reports to Secretary of State
- 30 Inspections
- 31 Inspection reports
- 32 Post-inspection directions

Part 4 — FINANCIAL PROVISION

- 33 Payments by Secretary of State to the Agency
- 34 Charges by the Agency and other receipts
- 35 Payments by Agency to police authorities
- 36 Accounts

Part 5 — TRANSFER SCHEMES

- 37 Meaning of "scheme"
- 38 Property, rights and liabilities
- 39 (1) The property, rights and liabilities for whose transfer a...
- 40 A scheme may make provision for the creation, in favour...
- 41 (1) A scheme under paragraph 38 may make provision for...
- 42 (1) At the time appointed for the purpose by a...

- 43 Effect of transfer of employees
- 44 Staff on secondment
- 45 Deciding matters under scheme
- 46 Supplementary provision
 - Part 6 — INTERPRETATION AND MODIFICATION
- 47 Interpretation
- 48 Power to modify objects, functions and structure of the Agency
 - Part 7 — CONSEQUENTIAL AMENDMENTS
- 49 Public Records Act 1958 (c. 51)
- 50 Parliamentary Commissioner Act 1967 (c. 13)
- 51 Police (Scotland) Act 1967 (c. 77)
- 52 In section 38(3A) (status of certain constables on secondment), after...
- 53 (1) Section 38A (constables engaged on service outside their force)...
- 54 Health and Safety at Work etc. Act 1974 (c. 37)
- 55 House of Commons Disqualification Act 1975 (c. 24)
- 56 Northern Ireland Assembly Disqualification Act 1975 (c. 25)
- 57 Police Pensions Act 1976 (c. 35)
- 58 In section 7(2) (persons eligible for police pensions), after paragraph...
- 59 (1) Section 11 (interpretation) is amended as follows.
- 60 Race Relations Act 1976 (c. 74)
- 61 Police Act 1996 (c. 16)
- 62 (1) Section 39A (power of Secretary of State to issue...
- 63 (1) Section 53A (regulation of procedures and practices of police...
- 64 In section 57(5) (consultation about regulations requiring police forces to...
- 65 In section 59 (Police Federations), after subsection (7) there is...
- 66 In section 61(1) (Police Negotiating Board), before paragraph (c) there...
- 67 (1) Section 62 (functions of the Police Negotiating Board) is...
- 68 (1) Section 63 (Police Advisory Boards) is amended as follows....
- 69 In section 64 (membership of trade unions), before subsection (5)...
- 70 In section 90(4) (impersonation etc: interpretation), for the words after...
- 71 In section 91(2) (offence under subsection (1) of causing disaffection...
- 72 (1) Section 97 (police officers engaged on service outside their...
- 73 Police (Northern Ireland) Act 1998 (c. 32)
- 74 Freedom of Information Act 2000 (c. 36)
- 75 Criminal Justice and Court Services Act 2000 (c. 43)
- 76 Vehicles (Crime) Act 2001 (c. 3)
- 77 In section 18(7) (access to information contained in register of...
- 78 (1) Section 36 (access to certain motor insurance information) is...
- 79 Criminal Justice and Police Act 2001 (c. 16)
- 80 Police Reform Act 2002 (c. 30)
- 81 In section 9(3) (persons ineligible for membership of the Independent...
- 82 (1) Section 10 (general functions of the Independent Police Complaints...
- 83 (1) Section 11 (reports) is amended as follows.
- 84 (1) Section 15 (general duties of police authorities etc in...
- 85 After section 16 there is inserted— Investigations: National Policing Improvement...
- 86 In section 17 (provision of information to the Independent Police...
- 87 After section 26A there is inserted— National Policing Improvement Agency...
- 88 In section 29(3)(c) (meaning of references to a member of...
- 89 (1) Schedule 3 (handling of complaints and conduct matters etc)...

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

- 90 Sexual Offences Act 2003 (c. 42)
- 91 Commissioners for Revenue and Customs Act 2005 (c. 11)
- 92 Serious Organised Crime and Police Act 2005 (c. 15)

SCHEDULE 2 — Amendments to the Police Act 1996

- 1 Membership etc of police authorities
- 2 For Schedule 2 there is substituted— SCHEDULE 2 Police authorities...
- 3 In section 5C (membership etc of Metropolitan Police Authority), in...
- 4 For Schedule 2A there is substituted— SCHEDULE 2A The Metropolitan...
- 5 In section 19 (approval of decisions about precepts), in subsection...
- 6 Schedules 3 (police authorities: selection of independent members) and 3A...
- 7 Functions of police authorities
- 8 After section 6 there is inserted— Power to confer particular...
- 9 Police authorities: objectives, plans and reports
- 10 The following sections are repealed— section 6A (three-year strategy plans);...
- 11 In section 9A (general functions of Commissioner of Police of...
- 12 In section 10 (general functions of chief constables), in subsection...
- 13 (1) Section 96B (national and international functions: application of requirements...
- 14 Appointment of deputy chief constables etc
- 15 (1) Section 12A (power of deputy to exercise functions of...
- 16 Civilian employees of police authorities
- 17 In section 24 (aid of one police force by another),...
- 18 Clerks to police authorities renamed chief executives
- 19 In Schedule 6 (appeals to police appeal tribunals), in paragraph...
- 20 (1) A reference in subordinate legislation (within the meaning of...
- 21 Jurisdiction of special constables
- 22 In section 24(3) (constable assisting another police force to be...
- 23 In section 27(2) (special constables to be under direction and...
- 24 Secretary of State's strategic functions in relation to police authorities
- 25 Before section 38 there is inserted— Setting of strategic priorities...
- 26 (1) Section 38 (setting of performance targets) is amended as...
- 27 Power to give directions to police authority or chief officer of police
- 28 In section 41 (directions as to minimum budget), in subsection...
- 29 Power to give directions as to action plans
- 30 Arrangements for obtaining the views of the community on policing

SCHEDULE 3 — Power to merge police pension schemes

- 1 Introduction
- 2 Power to merge police pension schemes
- 3 Exercise of power to establish merged scheme
- 4 Exercise of power to amend merged scheme
- 5 Application of provisions of other Acts
- 6 Transitional provision
- 7 Continuity of schemes for tax purposes

SCHEDULE 4 — Consultation with APA and ACPO

- 1 Police and Criminal Evidence Act 1984 (c. 60)
- 2 Police Act 1996 (c. 16)
- 3 In section 39A of that Act (codes of practice for...

- 4 In section 42A of that Act (procedure in relation to...
- 5 In section 53 of that Act (regulations as to standard...
- 6 (1) Section 53A of that Act (regulation of procedures and...
- 7 In section 57 of that Act (common services), for paragraphs...
- 8 In section 101 of that Act (interpretation), at the beginning...
- 9 Criminal Procedure and Investigations Act 1996 (c. 25)
- 10 Criminal Justice and Police Act 2001 (c. 16)
- 11 Police Reform Act 2002 (c. 30)
- 12 In section 24 of that Act (consultation on regulations), for...
- 13 In section 39 of that Act (police powers for contracted-out...
- 14 In section 43 of that Act (railway safety accreditation scheme),...
- 15 In section 45 of that Act (code of practice relating...
- 16 In section 51 of that Act (independent custody visitors for...
- 17 In section 96 of that Act (president of ACPO), the...
- 18 In section 106 of that Act (general interpretation), at the...

SCHEDULE 5 — Exercise of police powers by civilians

- 1 The Police Reform Act 2002 (c. 30) is amended as...
- 2 (1) Section 38 (police powers for police authority employees) is...
- 3 (1) Section 42 (supplementary provisions relating to designations etc)
is...
- 4 In section 105 (orders and regulations), in subsection (3)(b), after...
- 5 (1) Schedule 4 (powers exercisable by police civilians) is amended...
- 6 (1) Paragraph 1 of Schedule 5 (power of accredited persons...

SCHEDULE 6 — Police bail

Part 1 — INTRODUCTORY

- 1 The Police and Criminal Evidence Act 1984 (c. 60) is...

Part 2 — POLICE BAIL GRANTED ELSEWHERE THAN AT POLICE STATION

- 2 Power to impose conditions on granting bail
- 3 Contents of notice given to person released on bail
- 4 Variation of bail conditions
- 5 Power of arrest for breach of bail conditions

Part 3 — POLICE BAIL GRANTED AT POLICE STATION BEFORE CHARGE

- 6 Power to impose conditions on bail granted under section 37(2) or (7)(b)
- 7 Power of arrest for breach of conditions of bail granted under
section 37(2) or (7)(b)
- 8 Dealing with person arrested for breach of conditions of bail granted
under section 37(7)(b)
- 9 Time for person to answer bail granted under section 37(2) or (7)(b) or
37CA(2)(b)
- 10 Dealing with person released on bail under section 37(7)(b) or 37CA(2)
(b)
- 11 Applications to court where person released on bail under section 37(2)
or (7)(b) or 37CA(2)(b)

SCHEDULE 7 — Schedule to be inserted into the Police Reform Act 2002

SCHEDULE 8 — Further provision about crime and disorder committees of certain local authorities

- 1 Introductory
- 2 Functions of crime and disorder committees
- 3 Appointment of sub-committees

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

- 4 Meetings etc
- 5 The crime and disorder committee of a local authority, or...
- 6 Power to compel attendance etc
- 7 Miscellaneous and supplemental
- 8 The crime and disorder committee of a local authority, or...
- 9 Subsections (2) and (5) of section 102 of the Local...
- 10 Application to the City of London
- 11 (1) The Common Council may discharge its duty under section...
- 12 In paragraphs 10 and 11 “the Common Council” means the...

SCHEDULE 9 — Amendments to the Crime and Disorder Act 1998

- 1 The Crime and Disorder Act 1998 (c. 37) is amended...
- 2 (1) Section 5 (authorities responsible for strategies) is amended as...
- 3 For sections 6 and 6A there is substituted— Formulation and...
- 4 (1) Section 17 (duty to consider crime and disorder implications)...
- 5 After section 17 there is inserted— Sharing of information (1) A relevant authority is under a duty to disclose...
- 6 (1) Section 114 (orders and regulations) is amended as follows....
- 7 (1) Section 115 (disclosure of information) is amended as follows....

SCHEDULE 10 — Injunctions in local authority proceedings: powers to remand

Introductory

- 1 (1) The provisions of this Schedule apply where the court...

Remand in custody or on bail

- 2 (1) The court may— (a) remand the person in custody,...
- 3 (1) Where a person is remanded on bail, the court...
- 4 (1) The court shall not remand a person for a...

Further remand

- 5 (1) If the court is satisfied that a person who...

Postponement of taking recognizance

- 6 Where under paragraph 2(2)(b) the court fixes the amount in...

Requirements imposed on remand on bail

- 7 The court may when remanding a person on bail under...

SCHEDULE 11 — Schedule to be inserted into the Protection of Children Act 1978

SCHEDULE 12 — Schedule to be inserted into the Protection of Children (Northern Ireland) Order 1978

SCHEDULE 13 — Extradition

Part 1 — AMENDMENTS TO THE EXTRADITION ACT 2003

- 1 Requests for extradition of persons unlawfully at large
- 2 (1) In section 14 (passage of time), for the words...
- 3 Restriction on extradition following transfer from International Criminal Court

- 4 Restriction on extradition in cases where trial in United Kingdom more appropriate
- 5 (1) In section 79 (bars to extradition)—
- 6 (1) An order bringing paragraph 4 or 5 into force...
- 7 Remand of person serving sentence in United Kingdom
- 8 Remands in connection with appeal proceedings
- 9 Time for extradition
- 10 Extradition of person serving sentence in United Kingdom
- 11 (1) Section 52 (undertaking in relation to person serving sentence...
- 12 In section 59 (return of person to serve remainder of...
- 13 (1) Section 119 (undertaking in relation to person serving sentence...
- 14 In section 132 (return of person to serve remainder of...
- 15 “The appropriate judge”
- 16 (1) In the provisions listed in sub-paragraph (2), for “If...
- 17 Extradition to category 2 territories: requests and certificates
- 18 Time for representations and consideration of case under Part 2
- 19 Applications for discharge or for extension of time limit
- 20 Scotland: references to Secretary of State
- 21 Issue of Part 3 warrant: persons unlawfully at large who may be arrested without domestic warrant
- 22 Issue of Part 3 warrant: domestic warrant issued at common law by judge in Northern Ireland
- 23 Dealing with person for pre-extradition offences following extradition to UK
- 24 Extradition requests to territories not applying European framework decision to old cases
- 25 Extradition of serving prisoner
- 26 Authentication of receivable documents
- 27 Part 2 — AMENDMENTS TO OTHER ACTS
- 28 Powers of High Court in relation to bail decisions by magistrates' court etc
- 29 In section 1(1A) of the Bail (Amendment) Act 1993 (c....
- 30 (1) Section 10 of the Justice (Northern Ireland) Act 2004...
- 31 After section 10 of the Justice (Northern Ireland) Act 2004...
- 32 Credit against sentence for periods of remand in custody of persons extradited to UK
- 33 In section 101 of the Powers of Criminal Courts (Sentencing)...
- 34 (1) Section 47 of the Criminal Justice Act 1991 (c....
- 35 Amendments consequential on amendments in Part 1
- 36 In paragraph 81(4) of Schedule 9 to the Constitutional Reform...

SCHEDULE 14 — Minor and consequential amendments

- 1 Prison Act 1952 (c. 52)
- 2 Criminal Damage Act 1971 (c. 48)
- 3 Superannuation Act 1972 (c. 11)
- 4 Police Pensions Act 1976 (c. 35)
- 5 Bail Act 1976 (c. 63)
- 6 Criminal Damage (Northern Ireland) Order 1977 (S.I. 1977/426 (N.I. 4))
- 7 Local Government (Miscellaneous Provisions) Act 1982 (c. 30)
- 8 Aviation Security Act 1982 (c. 36)
- 9 Police and Criminal Evidence Act 1984 (c. 60)
- 10 (1) Section 37B of that Act (consultation with the Director...

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

- 11 In section 64A of that Act (photographing of suspects etc),...
- 12 Housing Act 1985 (c. 68)
- 13 (1) Section 121A of that Act (order suspending right to...
- 14 Criminal Justice Act 1988 (c. 33)
- 15 Housing Act 1988 (c. 50)
- 16 Local Government and Housing Act 1989 (c. 42)
- 17 Computer Misuse Act 1990 (c. 18)
- 18 In the heading to section 4 of that Act (territorial...
- 19 (1) Section 5 of that Act (significant links with domestic...
- 20 In section 6 of that Act (territorial scope of inchoate...
- 21 In section 7 of that Act (territorial scope of inchoate...
- 22 In section 9 of that Act (British citizenship immaterial), in...
- 23 Section 11 of that Act (proceedings for offences under section...
- 24 Section 12 of that Act (conviction of an offence under...
- 25 (1) Section 13 of that Act (proceedings in Scotland) is...
- 26 Section 14 of that Act (search warrants for offences under...
- 27 (1) Section 16 of that Act (application to Northern Ireland)...
- 28 After that section there is inserted— Northern Ireland: search warrants...
- 29 (1) Section 17 of that Act (interpretation) is amended as...
- 30 Police Act 1996 (c. 16)
- 31 Employment Rights Act 1996 (c. 18)
- 32 Housing Act 1996 (c. 52)
- 33 In section 218A of that Act (anti-social behaviour: landlords' policies...
- 34 Police Act 1997 (c. 50)
- 35 Audit Commission Act 1998 (c. 18)
- 36 Crime and Disorder Act 1998 (c. 37)
- 37 Youth Justice and Criminal Evidence Act 1999 (c. 23)
- 38 Local Government Act 2000 (c. 22)
- 39 Regulation of Investigatory Powers Act 2000 (c. 23)
- 40 Police Reform Act 2002 (c. 30)
- 41 In section 40 of that Act (community safety accreditation schemes),...
- 42 In section 41 of that Act (accreditation under community safety...
- 43 (1) Section 42 of that Act (supplementary provisions relating to...
- 44 (1) Section 46 of that Act (offences against designated and...
- 45 In section 47 of that Act (interpretation of Chapter 1),...
- 46 In section 105 of that Act (powers of Secretary of...
- 47 Railways and Transport Safety Act 2003 (c. 20)
- 48 In section 28(1) of that Act (police powers for British...
- 49 In section 50 of that Act (policing objectives set by...
- 50 In section 52 of that Act (railways policing plan), for...
- 51 (1) Section 55 of that Act (three-year strategy plan) is...
- 52 (1) In Schedule 4 to that Act (British Transport Police...
- 53 Anti-social Behaviour Act 2003 (c. 38)
- 54 (1) Section 26 of that Act (parenting orders in respect...
- 55 (1) Section 27 of that Act (parenting orders: supplemental) is...
- 56 (1) Section 28 of that Act (parenting orders: appeals) is...
- 57 In section 29(1) of that Act (interpretation of sections 25...
- 58 Criminal Justice Act 2003 (c. 44)
- 59 Energy Act 2004 (c. 20)
- 60 Public Audit (Wales) Act 2004 (c. 23)
- 61 Constitutional Reform Act 2005 (c. 4)
- 62 Serious Organised Crime and Police Act 2005 (c. 15)

SCHEDULE 15	—	Repeals and revocations
Part 1	—	POLICE REFORM
Part 2	—	POWERS OF POLICE ETC
Part 3	—	CRIME AND ANTI-SOCIAL BEHAVIOUR
Part 4	—	MISCELLANEOUS