
Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Cross Heading: Staff custody officers. (See end of Document for details)

SCHEDULES

SCHEDULE 7

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 13

REDUNDANT PROVISIONS ETC

Staff custody officers

- 123 (1) The Police and Criminal Evidence Act 1984 (c. 60) is amended as follows.
- (2) In section 30CA (bail under section 30A: variation of conditions by police), in subsection (5) omit the following—
- (a) in paragraph (a)—
 - (i) “, or a person designated as a staff custody officer under section 38 of the Police Reform Act 2002,”, and
 - (ii) “or officer”, and
 - (b) in paragraph (b), “or officer”.
- (3) In section 36 (custody officers at police stations)—
- (a) for subsection (3) substitute—

“(3) No officer may be appointed a custody officer unless the officer is of at least the rank of sergeant.”,
 - (b) in subsection (5) for “an individual” substitute “ an officer ”,
 - (c) in subsection (7)—
 - (i) in paragraph (a), omit “or a staff custody officer” and for “such a person” substitute “ such an officer ”, and
 - (ii) in paragraph (b), for “such person” substitute “ such officer ”,
 - (d) in subsection (8) for “a person” substitute “ an officer ”, and
 - (e) omit subsection (11).
- (4) In section 39 (responsibilities in relation to persons detained)—
- (a) in subsection (6)(a) omit “(or, if the custody officer is a staff custody officer, any police officer or any police employee)”, and
 - (b) omit subsection (7).
- (5) In section 55 (intimate searches), in the definition of “appropriate officer” in subsection (17), omit paragraph (c) and the “or” immediately before it.
- 124 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 (S. I. 1989/1341 (N. I. 12)) is amended as follows.
- (2) In Article 37 (custody officers at police stations)—

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- (a) for paragraph (3) substitute—
 - “(3) No police officer may be appointed a custody officer unless the officer is of at least the rank of sergeant.”,
- (b) in paragraph (5) for “an individual” substitute “an officer”,
- (c) in paragraph (7)—
 - (i) in sub-paragraph (a) omit “or a staff custody officer” and for “such a person” substitute “such an officer”, and
 - (ii) in sub-paragraph (b) for “such person” substitute “such officer”,
- (d) in paragraph (8) for “a person” substitute “an officer”, and
- (e) omit paragraph (11).

- (3) In Article 40 (responsibilities in relation to persons detained)—
 - (a) in paragraph (6)(a) omit “(or, if the custody officer is a staff custody officer, any police officer or any member of the police support staff)”, and
 - (b) omit paragraph (7).

- 125 (1) The Police Reform Act 2002 (c. 30) is amended as follows.
- (2) In section 38 (police powers for police authority employees) omit the following—
 - (a) subsection (2)(e),
 - (b) subsection (6)(e), and
 - (c) subsection (10).
- (3) In Schedule 4 (powers exercisable by police civilians)—
 - (a) omit Part 4A, and
 - ^{F1}(b)

Textual Amendments

F1 Sch. 7 para. 125(3)(b) omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 26](#); [S.I. 2017/1139](#), reg. 2(k) (as amended by [S.I. 2017/1162](#), reg. 2)

- 126 (1) The Police (Northern Ireland) Act 2003 (c. 6) is amended as follows.
- (2) In section 30 (police powers for designated police support staff), omit the following—
 - (a) subsection (1)(d),
 - (b) subsection (6)(d), and
 - (c) subsection (11).
- (3) In Schedule 2 (powers exercisable by designated persons) omit Part 3A.

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