



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART IV

#### DETENTION

##### *Detention—conditions and duration*

#### [<sup>F1</sup>37A Guidance

- (1) The Director of Public Prosecutions may issue guidance—
  - (a) for the purpose of enabling custody officers to decide how persons should be dealt with under section 37(7) above or 37C(2) [<sup>F2</sup> or 37CA(2)] below, and
  - (b) as to the information to be sent to the Director of Public Prosecutions under section 37B(1) below.
- (2) The Director of Public Prosecutions may from time to time revise guidance issued under this section.
- (3) Custody officers are to have regard to guidance under this section in deciding how persons should be dealt with under section 37(7) above or 37C(2) [<sup>F3</sup> or 37CA(2)] below.
- (4) A report under section 9 of the Prosecution of Offences Act 1985 (report by DPP to Attorney General) must set out the provisions of any guidance issued, and any revisions to guidance made, in the year to which the report relates.
- (5) The Director of Public Prosecutions must publish in such manner as he thinks fit—
  - (a) any guidance issued under this section, and
  - (b) any revisions made to such guidance.
- (6) Guidance under this section may make different provision for different cases, circumstances or areas.]

*Status: Point in time view as at 16/04/2018.*

*Changes to legislation: Police and Criminal Evidence Act 1984, Section 37A is up to date with all changes known to be in force on or before 28 July 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)*

### Textual Amendments

- F1** S. 37A inserted (29.1.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 28, 336, **Sch. 2 para. 3**; S.I. 2004/81, **art. 4(1)(2)(c)**
- F2** Words in s. 37A(1)(a) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 10, 53, **Sch. 6 para. 8(2)**; S.I. 2007/709, **art. 3(i)** (subject to arts. 6, 7)
- F3** Words in s. 37A(3) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 10, 53, **Sch. 6 para. 8(2)**; S.I. 2007/709, **art. 3(i)** (subject to arts. 6, 7)

### Modifications etc. (not altering text)

- C1** S. 37A applied (with modifications) (25.6.2013) by [The Police and Criminal Evidence Act 1984 \(Application to immigration officers and designated customs officials in England and Wales\) Order 2013 \(S.I. 2013/1542\)](#), arts. 1, 12(2)-(4), **Sch. 2** (with arts. 13-31)
- C2** Ss. 37-37B modified (18.4.2005) by [Commissioners for Revenue and Customs Act 2005 \(c. 11\)](#), ss. 50, 53(1) {Sch. 4 para. 30}; S.I. 2005/1126, **art. 2(2)(h)**  
Ss. 37-37B modified (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **ss. 40**, 178; S.I. 2006/378, **art. 4(1)**, Sch. para. 6 (subject to art. 4(2)-(7))
- C3** Ss. 37-37B modified (21.7.2009) by [Borders, Citizenship and Immigration Act 2009 \(c. 11\)](#), **s. 31(4)** (with s. 36(4))

**Status:**

Point in time view as at 16/04/2018.

**Changes to legislation:**

Police and Criminal Evidence Act 1984, Section 37A is up to date with all changes known to be in force on or before 28 July 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.