

Draft Order laid before Parliament under section 67(7A) of the Police and Criminal Evidence Act 1984, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2015 No. XXX

POLICE, ENGLAND AND WALES

**The Police and Criminal Evidence Act 1984 (Codes
of Practice) (Revision of Code E) Order 2015**

Made - - - - *****

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by section 67(5) of the Police and Criminal Evidence Act 1984(1).

The Secretary of State has consulted in accordance with section 67(4) of that Act(2).

The revised Code has been laid before Parliament in accordance with section 67(7B) of that Act.

A draft of this Order has been laid before Parliament and has been approved by each House of Parliament in accordance with section 67(7A) of that Act.

Citation and commencement

1. This Order may be cited as the Police and Criminal Evidence Act 1984 (Codes of Practice) (Revision of Code E) Order 2015, and comes into force on the twenty-first day after the day on which it is made.

Revision of Code of Practice

2. The revised code of practice laid before Parliament on 9th November 2015 in connection with the matter referred to in section 60(1)(a) of the Police and Criminal Evidence Act 1984 (audio recording of interviews with suspects – Code E) comes into operation on the day on which this Order comes into force.

(1) 1984 c. 60; section 67(1) to (7D) was substituted by section 11 of the Criminal Justice Act 2003 (c. 44).
(2) Section 67(4)(a) and (b) was substituted by paragraph 1 of Schedule 4 to the Police and Justice Act 2006 (c. 48). Subsequently, section 67(4)(a), (aa) and (ab) was substituted for section 67(4)(a) by paragraphs 160, and 163(1) and (2) of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The Police and Criminal Evidence Act 1984 (Codes of Practice) (Revision of Code E) Order 2016 No. 35

Date

Name
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force a revised code of practice under section 60(1)(a) of the Police and Criminal Evidence Act 1984 which will supersede the existing code of practice issued under that subsection.

The amendments to Code E exempt four types of offences from the requirement that the interviews of individuals regarding indictable offences must be audio recorded. The amendments set out the conditions that must be met before the exemption can apply.

The four types of offences are possession of cannabis, possession of khat, retail theft (shoplifting) of property with a value not exceeding £100 and criminal damage to a value not exceeding £300.