

Status: Point in time view as at 28/06/2022.

Changes to legislation: Police and Criminal Evidence Act 1984, PART 3A is up to date with all changes known to be in force on or before 25 May 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)

SCHEDULES

[^{F1}SCHEDULE 2A

FINGERPRINTING [^{F1}, SAMPLES AND PHOTOGRAPHS]: POWER TO REQUIRE ATTENDANCE AT POLICE STATION

Textual Amendments

- F1** Sch. 2A inserted (E.W.) (7.3.2011 except for the insertion of Sch. 2A paras. 4, 12) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 6(2)**, 59(1); S.I. 2011/414, art. 2(d)
- F1** Words in Sch. 2A heading substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 52(4)**, 208(5)(e)

[^{F2}[^{F3}PART 3A

PHOTOGRAPHS

Textual Amendments

- F2** Sch. 2A inserted (prosp.) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 6(2)**, 59
- F3** Sch. 2A Pt. 3A inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 52(5)**, 208(5)(e)

Persons arrested and released

- 14A (1) A constable may require a person who falls within section 64A(1D)(a) to attend a police station to be photographed under section 64A(1C).
- (2) The power under sub-paragraph (1) may not be exercised in a case where section 64A(1E)(b) applies (photograph taken on a previous occasion unavailable or inadequate) after the end of the period of six months beginning with the day on which the appropriate officer was informed that section 64(1E)(b)(i) applied.
- (3) In sub-paragraph (2) the “appropriate officer” means the officer investigating the offence for which the person was arrested.

Persons charged etc.

- 14B (1) A constable may require a person who falls within section 64A(1D)(b) or (c) to attend a police station to be photographed under section 64A(1C).
- (2) The power under sub-paragraph (1) may not be exercised after the end of the period of six months beginning with—

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- (a) in a case where section 64A(1E)(a) applies (photograph not previously taken), the day on which the person was charged or informed that they would be reported, or
 - (b) in a case where section 64A(1E)(b) applies (photograph taken on a previous occasion unavailable or inadequate), the day on which the appropriate officer was informed that section 64A(1E)(b)(i) applied.
- (3) In sub-paragraph (2)(b) the “appropriate officer” means the officer investigating the offence for which the person was charged or informed that they would be reported.

Persons convicted of an offence etc. in England and Wales

- 14C (1) A constable may require a person who falls within section 64A(1F) to attend a police station to be photographed under section 64A(1C).
- (2) Where section 64A(1G)(a) applies (photographs not previously taken), the power under sub-paragraph (1) may not be exercised after the end of the period of two years beginning with—
- (a) the day on which the person was convicted or cautioned, or
 - (b) if later, the day on which this Part comes into force.
- (3) Where section 64A(1G)(b) applies (photograph taken on previous occasion unavailable or inadequate), the power under sub-paragraph (1) may not be exercised after the end of the period of two years beginning with—
- (a) the day on which an appropriate officer was informed that section 64A(1G)(b)(i) applied, or
 - (b) if later, the day on which this Part comes into force.
- (4) In sub-paragraph (3)(a), “appropriate officer” means an officer of the police force which investigated the offence in question.
- (5) Sub-paragraphs (2) and (3) do not apply where the offence is a qualifying offence (whether or not it was such an offence at the time of the conviction or caution).

Persons convicted of an offence etc. outside England and Wales

- 14D A constable may require a person falling within section 64A(1H) to attend at a police station to be photographed under section 64A(1C).

Multiple exercise of power

- 14E (1) Where a photograph is taken of a person under section 64A on two occasions in relation to any offence, the person may not under this Schedule be required to attend a police station to be photographed under that section in relation to that offence on a subsequent occasion without the authorisation of an officer of at least the rank of inspector.
- (2) Where an authorisation is given under sub-paragraph (1)—
- (a) the fact of the authorisation, and
 - (b) the reasons for giving it,
- must be recorded as soon as practicable after it has been given.]]]

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