



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART II **E+W**

POWERS OF ENTRY, SEARCH AND SEIZURE

Entry and search without search warrant

18 **Entry and search after arrest.** **E+W**

- (1) Subject to the following provisions of this section, a constable may enter and search any premises occupied or controlled by a person who is under arrest for an [^{F1}indictable] offence, if he has reasonable grounds for suspecting that there is on the premises evidence, other than items subject to legal privilege, that relates—
 - (a) to that offence; or
 - (b) to some other [^{F1}indictable] offence which is connected with or similar to that offence.
- (2) A constable may seize and retain anything for which he may search under subsection (1) above.
- (3) The power to search conferred by subsection (1) above is only a power to search to the extent that is reasonably required for the purpose of discovering such evidence.
- (4) Subject to subsection (5) below, the powers conferred by this section may not be exercised unless an officer of the rank of inspector or above has authorised them in writing.
- [^{F2}(5) A constable may conduct a search under subsection (1)—
 - (a) before the person is taken to a police station or released [^{F3}on bail] under section 30A, and
 - (b) without obtaining an authorisation under subsection (4),if the condition in subsection (5A) is satisfied.

Status: Point in time view as at 31/01/2017. This version of this provision has been superseded.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 18 is up to date with all changes known to be in force on or before 26 June 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)

- (5A) The condition is that the presence of the person at a place (other than a police station) is necessary for the effective investigation of the offence.]
- (6) If a constable conducts a search by virtue of subsection (5) above, he shall inform an officer of the rank of inspector or above that he has made the search as soon as practicable after he has made it.
- (7) An officer who—
- (a) authorises a search; or
 - (b) is informed of a search under subsection (6) above, shall make a record in writing—
 - (i) of the grounds for the search; and
 - (ii) of the nature of the evidence that was sought.
- (8) If the person who was in occupation or control of the premises at the time of the search is in police detention at the time the record is to be made, the officer shall make the record as part of his custody record.

Textual Amendments

- F1** Words in s. 18(1) substituted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 111, 178, [Sch. 7 Pt. 3 para. 43\(5\)](#); S.I. 2005/3495, [art. 2\(1\)\(m\)](#)
- F2** S. 18(5)(5A) substituted for s. 18(5) (20.1.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 12, 336, [Sch. 1 para. 2](#); S.I. 2004/81, [art. 2\(1\)\(2\)\(a\)](#)
- F3** Words in s. 18(5)(a) omitted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), ss. [53\(2\)](#), [183\(1\)\(5\)\(e\)](#); S.I. 2017/399, reg. 2, [Sch. para. 12](#) (with reg. 5)

Modifications etc. (not altering text)

- C1** Ss. 8, 9, 15, 16, 17(1)(b(2) (4), 18–20, 21, 22(1)–(4), 28, 29, 30(1)–(4)(a)(5)–(11), 31, 32(1)–(9), 34(1)–(5), 35, 36, 37, 39, 40–44, 50, 51(d), 52, 54, 55, 64(1)–(4)(5)(6), Sch. 1 applied with modifications by S.I. 1985/1800, arts. 3–11, Schs. 1, 2
- C2** S. 18 extended (2.12.2002) by [Police Reform Act 2002 \(c. 30\)](#), s. 38, [Sch. 4 Pt. 2 para. 18\(a\)](#); S.I. 2002/2750, [art. 2\(a\)\(ii\)\(d\)](#)
- C3** S. 18 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, 3(2)–(4), [Sch. 1](#) (with arts. 4–11)
- C4** S. 18 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)
- C5** S. 18 applied (2.9.2014) by [The Control of Explosives Precursors Regulations 2014 \(S.I. 2014/1942\)](#), regs. 1(1), 14
- C6** S. 18 applied by 1972 c. 66, s. 9A (as inserted (20.4.2015 for specified purposes, 26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 21 para. 12](#); S.I. 2015/994, arts. 5, 6(p))
- C7** S. 18 applied (with modifications) (4.11.2015) by [The Police and Criminal Evidence Act 1984 \(Application to Revenue and Customs\) Order 2015 \(S.I. 2015/1783\)](#), arts. 1, 3(1), [Sch. 1](#) (with art. 3(2), (3), 4–19, Sch. 2)
- C8** S. 18(6) modified (2.12.2002) by [Police Reform Act 2002 \(c. 30\)](#), s. 38, [Sch. 4 Pt. 2 para. 18\(b\)](#); S.I. 2002/2750, [art. 2\(a\)\(ii\)\(d\)](#)

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