



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART III

#### ARREST

#### 24 Arrest without warrant for arrestable offences.

- (1) The powers of summary arrest conferred by the following subsections shall apply—
- (a) to offences for which the sentence is fixed by law;
  - (b) to offences for which a person of 21 years of age or over (not previously convicted) may be sentenced to imprisonment for a term of five years (or might be so sentenced but for the restrictions imposed by section 33 of the <sup>M1</sup>Magistrates' Courts Act 1980); and
  - (c) to the offences to which subsection (2) below applies,
- and in this Act “arrestable offence” means any such offence.
- (2) The offences to which this subsection applies are—
- (a) offences for which a person may be arrested under the customs and excise Acts, as defined in section 1(1) of the <sup>M2</sup>Customs and Excise Management Act 1979;
  - (b) offences under [<sup>F1</sup>the Official Secrets Act 1920] that are not arrestable offences by virtue of the term of imprisonment for which a person may be sentenced in respect of them;
  - [<sup>F2</sup>(bb) offences under any provision of the Official Secrets Act 1989 except section 8(1), (4) or (5);]
  - (c) offences under section . . . <sup>F3</sup>, 22 (causing prostitution of women) or 23 (procurement of girl under 21) of the <sup>M3</sup>Sexual Offences Act 1956;
  - [<sup>F4</sup>(ca) an offence under section 46 of the Criminal Justice and Police Act 2001;]
  - (d) offences under section 12(1) (taking motor vehicle or other conveyance without authority etc.) or 25(1) (going equipped for stealing, etc.) of the <sup>M4</sup>Theft Act 1968; and
  - [<sup>F5</sup>(e) any offence under the Football (Offences) Act 1991.]

*Status: Point in time view as at 01/09/2001. This version of this provision has been superseded.*

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- (e) ..... F6
- [<sup>F7</sup>(f) an offence under section 2 of the <sup>M5</sup>Obscene Publications Act 1959 (publication of obscene matter);
- (g) an offence under section 1 of the <sup>M6</sup>Protection of Children Act 1978 (indecent photographs and pseudo-photographs of children);]
- [<sup>F8</sup>(h) an offence under section 166 of the <sup>M7</sup>Criminal Justice and Public Order Act 1994 (sale of tickets by unauthorised persons);]
- [<sup>F9</sup>(i) an offence under section 19 of the <sup>M8</sup>Public Order Act 1986 (publishing, etc. material intended or likely to stir up racial hatred);]
- [<sup>F10</sup>(j) an offence under section 167 of the <sup>M9</sup>Criminal Justice and Public Order Act 1994 (touting for hire car services).]
- [<sup>F11</sup>(k) an offence under section 1(1) of the <sup>M10</sup>Prevention of Crime Act 1953 (prohibition of the carrying of offensive weapons without lawful authority or reasonable excuse);
- (l) an offence under section 139(1) of the <sup>M11</sup>Criminal Justice Act 1988 (offence of having article with blade or point in public place);
- (m) an offence under section 139A(1) or (2) of the Criminal Justice Act 1988 (offence of having article with blade or point (or offensive weapon) on school premises)]
- [<sup>F12</sup>(n) an offence under section 2 of the Protection from Harassment Act 1997 (harassment).]
- [<sup>F13</sup>(o) an offence under section 60(8)(b) of the <sup>M12</sup>Criminal Justice and Public Order Act 1994 (failing to comply with requirement to remove mask etc.);]
- [<sup>F14</sup>(p) an offence falling within section 32(1)(a) of the Crime and Disorder Act 1998 (racially-aggravated harassment);]
- [<sup>F15</sup>(q) an offence under section 14J or 21C of the Football Spectators Act 1989 (failure to comply with requirements imposed by or under a banning order or a notice under section 21B)]
- [<sup>F16</sup>(qa) an offence under section 12(4) of the Criminal Justice and Police Act 2001.]
- (r) .....
- [<sup>F17</sup>(s) an offence under section 1(1) or (2) or 6 of the Wildlife and Countryside Act 1981 (taking, possessing, selling etc. of wild birds) in respect of a bird included in Schedule 1 to that Act or any part of, or anything derived from, such a bird;
- (t) an offence under any of the following provisions of the Wildlife and Countryside Act 1981—
- (i) section 1(5) (disturbance of wild birds),
- (ii) section 9 or 13(1)(a) or (2) (taking, possessing, selling etc. of wild animals or plants),
- (iii) section 14 (introduction of new species etc.).]
- (3) Without prejudice to section 2 of the Criminal Attempts Act 1981, the powers of summary arrest conferred by the following subsections shall also apply to the offences of—
- (a) conspiring to commit any of the offences mentioned in subsection (2) above;
- (b) attempting to commit any such offence [<sup>F18</sup>other than an offence under section 12(1) of the Theft Act 1968];
- (c) inciting, aiding, abetting, counselling or procuring the commission of any such offence;

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and such offences are also arrestable offences for the purposes of this Act.

- (4) Any person may arrest without a warrant—
- (a) anyone who is in the act of committing an arrestable offence;
  - (b) anyone whom he has reasonable grounds for suspecting to be committing such an offence.
- (5) Where an arrestable offence has been committed, any person may arrest without a warrant—
- (a) anyone who is guilty of the offence;
  - (b) anyone whom he has reasonable grounds for suspecting to be guilty of it.
- (6) Where a constable has reasonable grounds for suspecting that an arrestable offence has been committed, he may arrest without a warrant anyone whom he has reasonable grounds for suspecting to be guilty of the offence.
- (7) A constable may arrest without a warrant—
- (a) anyone who is about to commit an arrestable offence;
  - (b) anyone whom he has reasonable grounds for suspecting to be about to commit an arrestable offence.

#### Textual Amendments

- F1** Words substituted by Official Secrets Act 1989 (c. 6, SIF 39:2), s. 11(1)
- F2** S. 24(2)(bb) inserted by Official Secrets Act 1989 (c. 6, SIF 39:2), s. 11(1)
- F3** Words repealed by Sexual Offences Act 1985 (c. 44, SIF 39:5), s. 5(3), Sch.
- F4** S. 24(2)(ca) inserted (1.9.2001) by 2001 c. 16, s. 46(6); S.I. 2001/2223, art. 4(c)
- F5** S. 24(2)(e) inserted (10.8.1991) by Football (Offences) Act 1991 (c. 19, SIF 39:2), s. 5(1); S.I. 1991/1564, art. 2.
- F6** S. 24(2)(e) repealed (29.9.1988) by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 170(2), Sch. 16
- F7** S. 24(2)(f)(g) inserted (3.2.1995) by 1994 c. 33, s. 85(2); S.I. 1995/127, art. 2(1), Sch. 1
- F8** S. 24(2)(h) inserted (3.11.1994) by virtue of 1994 c. 33, ss. 166(4), 172(2)(4)
- F9** S. 24(2)(i) inserted (3.2.1995) by 1994 c. 33, s. 155; S.I. 1995/127, art. 2(1), Sch. 1
- F10** S. 24(2)(j) inserted (3.11.1994) by 1994 c. 33, ss. 167(7), 172(2)(4)
- F11** S. 24(2)(k)(l)(m) inserted (4.7.1996) by 1996 c. 26, s. 1(1)
- F12** S. 24(2)(n) inserted (16.6.1997) by 1997 c. 40, s. 2(3); S.I. 1997/1418, art. 2
- F13** S. 24(2)(o) inserted (1.3.1999) by 1998 c. 37, s. 27(1); S.I. 1998/3263, art. 4.
- F14** S. 24(2)(p) inserted (30.9.1998) by 1998 c. 37, s. 32(2); S.I. 1998/2327, art. 2(1)(g).
- F15** S. 24(2)(q) substituted (28.8.2000) by 2000 c. 25, s. 1, Sch. 2 para. 2; S.I. 2000/2125, art. 2
- F16** S. 24(2)(qa) inserted (1.9.2001) by 2001 c. 16, s. 12(6); S.I. 2001/2223, art. 4(a)
- F17** S. 24(2)(s)(t) inserted (30.1.2001) by 2000 c. 37, ss. 81(1), 103(2), Sch. 12 para. 13
- F18** Words added by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 170(1), Sch. 15 para. 98

#### Modifications etc. (not altering text)

- C1** S. 24 extended (2.8.1993) by S.I. 1993/1813, art. 6, Sch. 3 para. 2(4).
- C2** S. 24(2) modified (1.9.2001) by 2001 c. 16, s. 47(3); S.I. 2001/2223, art. 4(c)
- C3** S. 24(2) applied by S.I. 1990/1768, art. 8(10) (as replaced by S.I. 1990/2144, art. 3)
- C4** S. 24(2) extended (15.4.1992) by S.I. 1992/975, art. 16(13).
- S. 24(2) extended (5.6.1992) by S.I. 1992/1302, art. 17(13).
- s. 24(2) extended (1.5.1993) by S.I. 1993/1188, art. 16(11).
- S. 24(2) extended (24.5.1993) by S.I. 1993/1244, art. 22(13).
- S. 24(2) extended (22.7.1993) by S.I. 1993/1784, art. 13(12).
- S. 24(2) extended (22.7.1993) by S.I. 1993/1787, art. 10(12).

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- S. 24(2) extended (1.10.1993) by S.I. 1993/2355, **art. 12(12)**.
- S. 24(2) extended (1.12.1993) by S.I. 1993/2807, **art. 19(12)**
- S. 24(2) applied (23.5.1994) by 1994/1323, art. 17(12)
- S. 24(2) applied (19.10.1994) by S.I. 1994/2673, **art. 13(12)**
- S. 24(2) applied (7.2.1995) by S.I. 1995/271, **art. 11(4)**
- S. 24(2) applied (15.11.1996) by S.I. 1996/2721, **art. 11(4)**
- S. 24(2) applied (16.6.2000) by S.I. 2000/1556, **art. 17(12)**
- S. 24(2) applied (28.9.2000) by S.I. 2000/2620, **reg. 11(5)**
- S. 24(2) applied (25.5.2000) by S.I. 2000/1408, **reg. 3**
- S. 24(2) extended (1.11.1997) by S.I. 1997/2592, **art. 12(12)**
- S. 24(2) applied (with modifications) (15.7.1998) by S.I. 1998/1531, **art. 4(2)**.
- S. 24(2) extended (3.6.1999) by S.I. 1999/1516, **art. 9(9)**
- S. 24(2) extended (14.10.1999) by S.I. 1999/2821, **art. 4(2)**
- S. 24(2) extended (14.10.1999) by S.I. 1999/2822, **art. 4(2)**
- S. 24(2) extended (26.11.1999) by S.I. 1999/3133, **art. 8(12)**
- C5** S. 24(2) extended (16.2.2001) by S.I. 2001/396, **art. 25(13)**

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#### **Marginal Citations**

- M1** 1980 c. 43.
- M2** 1979 c. 2.
- M3** 1956 c. 69.
- M4** 1968 c. 60.
- M5** 1959 c. 66.
- M6** 1978 c. 37.
- M7** 1994 c. 33.
- M8** 1986 c. 64.
- M9** 1994 c. 33.
- M10** 1953 c. 14.
- M11** 1988 c. 33.
- M12** 1994 c. 33.

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