



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART IV

DETENTION

Detention—conditions and duration

36 Custody officers at police stations.

- (1) One or more custody officers shall be appointed for each designated police station.
- (2) A custody officer for a designated police station shall be appointed—
 - (a) by the chief officer of police for the area in which the designated police station is situated; or
 - (b) by such other police officer as the chief officer of police for that area may direct.
- (3) No officer may be appointed a custody officer unless he is of at least the rank of sergeant.
- (4) An officer of any rank may perform the functions of a custody officer at a designated police station if a custody officer is not readily available to perform them.
- (5) Subject to the following provisions of this section and to section 39(2) below, none of the functions of a custody officer in relation to a person shall be performed by an officer who at the time when the function falls to be performed is involved in the investigation of an offence for which that person is in police detention at that time.
- (6) Nothing in subsection (5) above is to be taken to prevent a custody officer—
 - (a) performing any function assigned to custody officers—
 - (i) by this Act; or
 - (ii) by a code of practice issued under this Act;
 - (b) carrying out the duty imposed on custody officers by section 39 below;
 - (c) doing anything in connection with the identification of a suspect; or

Status: Point in time view as at 14/02/2000. This version of this provision has been superseded.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 36 is up to date with all changes known to be in force on or before 06 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)

- (d) doing anything under [^{F1}sections 7 and 8 of the Road Traffic Act 1988].
- (7) Where an arrested person is taken to a police station which is not a designated police station, the functions in relation to him which at a designated police station would be the functions of a custody officer shall be performed—
- (a) by an officer who is not involved in the investigation of an offence for which he is in police detention, if such an officer is readily available; and
 - (b) if no such officer is readily available, by the officer who took him to the station or any other officer.
- (8) References to a custody officer in the following provisions of this Act include references to an officer other than a custody officer who is performing the functions of a custody officer by virtue of subsection (4) or (7) above.
- (9) Where by virtue of subsection (7) above an officer of a force maintained by a police authority who took an arrested person to a police station is to perform the functions of a custody officer in relation to him, the officer shall inform an officer who—
- (a) is attached to a designated police station; and
 - (b) is of at least the rank of inspector,
- that he is to do so.
- (10) The duty imposed by subsection (9) above shall be performed as soon as it is practicable to perform it.

Textual Amendments

- F1** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c.54, SIF 107:1\)](#), s. 4, **Sch. 3 para. 27(3)**

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. 36](#) modified (2.8.1993) by [S.I. 1993/1813](#), art. 6, **Sch. 3 para. 3(3)**; [s. 36](#) modified by the said [S.I. 1993/1813](#), art. 6, **Sch. 3 para. 3(3)** as incorporated (with modifications) (1.12.1997) by [S.I. 1994/1405](#), art. 6, **Sch. 3 para. 4(b)**
- C3** [S. 36\(7\)\(8\)](#) extended (2.8.1993) by [S.I. 1993/1813](#), art. 6, Sch. 3 paras. 1(2)(b), **3(2)**; [s. 36\(7\)\(8\)](#) extended by the said [S.I. 1993/1813](#), art. 6, Sch. 3 paras. 3(2), **4** as incorporated (with modifications) (1.12.1997) by [S.I. 1994/1405](#), art. 6, Sch. 3 paras. 4(b), **5**

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