



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART V

QUESTIONING AND TREATMENT OF PERSONS BY POLICE

57 Additional rights of children and young persons.

The following subsections shall be substituted for section 34(2) of the ^{M1}Children and Young Persons Act 1933—

- “(2) Where a child or young person is in police detention, such steps as are practicable shall be taken to ascertain the identity of a person responsible for his welfare.
- (3) If it is practicable to ascertain the identity of a person responsible for the welfare of the child or young person, that person shall be informed, unless it is not practicable to do so—
- (a) that the child or young person has been arrested;
 - (b) why he has been arrested; and
 - (c) where he is being detained.
- (4) Where information falls to be given under subsection (3) above, it shall be given as soon as it is practicable to do so.
- (5) For the purposes of this section the persons who may be responsible for the welfare of a child or young person are—
- (a) his parent or guardian; or
 - (b) any other person who has for the time being assumed responsibility for his welfare.
- (6) If it is practicable to give a person responsible for the welfare of the child or young person the information required by subsection (3) above, that person shall be given it as soon as it is practicable to do so.

Status: Point in time view as at 14/10/1991. This version of this provision has been superseded.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 57 is up to date with all changes known to be in force on or before 03 August 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)

- (7) If it appears that at the time of his arrest a supervision order, as defined in section 11 of the Children and Young Persons Act 1969, is in force in respect of him, the person responsible for his supervision shall also be informed as described in subsection (3) above as soon it is reasonably practicable to do so.
- (8) The reference to a parent or guardian in subsection (5) above is—
- (a) in the case of a child or young person in the care of a local authority, a reference to that authority; and
 - (b) in the case of a child or young person in the care of a voluntary organisation in which parental rights and duties with respect to him are vested by virtue of a resolution under section 64(1) of the Child Care Act 1980, a reference to that organisation.
- (9) The rights conferred on a child or young person by subsections (2) to (8) above are in addition to his rights under section 56 of the Police and Criminal Evidence Act 1984.
- (10) The reference in subsection (2) above to a child or young person who is in police detention includes a reference to a child or young person who has been detained under the terrorism provisions; and in subsection (3) above “arrest” includes such detention.
- (11) In subsection (10) above “the terrorism provisions” has the meaning assigned to it by section 65 of the Police and Criminal Evidence Act 1984”.

Modifications etc. (not altering text)

C1 S. 57(1)–(9) expressed to be applied with modifications by [S.I. 1985/1800](#), arts. 3–11, [Schs. 1, 2](#)

Marginal Citations

M1 [1933 c. 12](#).

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