



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART V

#### QUESTIONING AND TREATMENT OF PERSONS BY POLICE

#### **64 Destruction of fingerprints and samples**

- (1) If—
  - (a) fingerprints or samples are taken from a person in connection with the investigation of an offence ; and
  - (b) he is cleared of that offence,they must be destroyed as soon as is practicable after the conclusion of the proceedings.
- (2) If—
  - (a) fingerprints or samples are taken from a person in connection with such an investigation; and
  - (b) it is decided that he shall not be prosecuted for the offence and he has not admitted it and been dealt with by way of being cautioned by a constable,they must be destroyed as soon as is practicable after that decision is taken.
- (3) If—
  - (a) fingerprints or samples are taken from a person in connection with the investigation of an offence ; and
  - (b) that person is not suspected of having committed the offence,they must be destroyed as soon as they have fulfilled the purpose for which they were taken.
- (4) Proceedings which are discontinued are to be treated as concluded for the purposes of this section.
- (5) If fingerprints are destroyed, any copies of them shall also be destroyed.
- (6) A person who asks to be allowed to witness the destruction of his fingerprints or copies of them shall have a right to witness it.

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*Status: This is the original version (as it was originally enacted).*

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(7) Nothing in this section—

- (a) affects any power conferred by paragraph 18(2) of Schedule 2 to the Immigration Act 1971; or
- (b) applies to a person arrested or detained under the terrorism provisions.