



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART V

QUESTIONING AND TREATMENT OF PERSONS BY POLICE

[^{F1}65A “Qualifying offence”

- (1) In this Part, “qualifying offence” means—
 - (a) an offence specified in subsection (2) below, or
 - (b) an ancillary offence relating to such an offence.
- (2) The offences referred to in subsection (1)(a) above are—
 - (a) murder;
 - (b) manslaughter;
 - (c) false imprisonment;
 - (d) kidnapping;
 - (e) an offence under section 4, 16, 18, 20 to 24 or 47 of the Offences Against the Person Act 1861;
 - (f) an offence under section 2 or 3 of the Explosive Substances Act 1883;
 - (g) an offence under section 1 of the Children and Young Persons Act 1933;
 - (h) an offence under section 4(1) of the Criminal Law Act 1967 committed in relation to murder;
 - (i) an offence under sections 16 to 18 of the Firearms Act 1968;
 - (j) an offence under [^{F2} section 8, 9] or 10 of the Theft Act 1968 or an offence under section 12A of that Act involving an accident which caused a person's death;
 - (k) an offence under section 1 of the Criminal Damage Act 1971 required to be charged as arson;
 - (l) an offence under section 1 of the Protection of Children Act 1978;
 - (m) an offence under section 1 of the Aviation Security Act 1982;
 - (n) an offence under section 2 of the Child Abduction Act 1984;
 - (o) an offence under section 9 of the Aviation and Maritime Security Act 1990;

Status: Point in time view as at 31/10/2013. This version of this provision has been superseded.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 65A is up to date with all changes known to be in force on or before 07 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)

- (p) an offence under any of sections 1 to 19, 25, 26, 30 to 41, 47 to 50, 52, 53, 57 to [F3 59A], 61 to 67, 69 and 70 of the Sexual Offences Act 2003;
 - (q) an offence under section 5 of the Domestic Violence, Crime and Victims Act 2004;
 - (r) an offence for the time being listed in section 41(1) of the Counter-Terrorism Act 2008.
- (3) The Secretary of State may by order made by statutory instrument amend subsection (2) above.
- (4) A statutory instrument containing an order under subsection (3) above shall not be made unless a draft of the instrument has been laid before, and approved by resolution of, each House of Parliament.
- (5) In subsection (1)(b) above “ancillary offence”, in relation to an offence, means—
- (a) aiding, abetting, counselling or procuring the commission of the offence;
 - (b) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting crime) in relation to the offence (including, in relation to times before the commencement of that Part, an offence of incitement);
 - (c) attempting or conspiring to commit the offence.]

Textual Amendments

- F1** S. 65A inserted (7.3.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 7, 59(1)**; S.I. 2011/414, art. 2(f)
- F2** Words in s. 65A(2)(j) substituted (31.10.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), **ss. 18(4), 120** (with s. 97); S.I. 2013/1814, art. 2(d)
- F3** Word in s. 65A(2)(p) substituted (6.4.2013) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, **Sch. 9 para. 137** (with s. 97); S.I. 2013/470, art. 2(d) (with arts. 5-8)

Status:

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