

*Status: Point in time view as at 14/01/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Cross Heading: Staff custody officers. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 7

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 13

#### REDUNDANT PROVISIONS ETC

#### *Staff custody officers*

- 123 (1) The Police and Criminal Evidence Act 1984 (c. 60) is amended as follows.
- (2) In section 30CA (bail under section 30A: variation of conditions by police), in subsection (5) omit the following—
- (a) in paragraph (a)—
- (i) “, or a person designated as a staff custody officer under section 38 of the Police Reform Act 2002,”, and
- (ii) “or officer”, and
- (b) in paragraph (b), “or officer”.
- (3) In section 36 (custody officers at police stations)—
- (a) for subsection (3) substitute—
- “(3) No officer may be appointed a custody officer unless the officer is of at least the rank of sergeant.”,
- (b) in subsection (5) for “an individual” substitute “ an officer ”,
- (c) in subsection (7)—
- (i) in paragraph (a), omit “or a staff custody officer” and for “such a person” substitute “ such an officer ”, and
- (ii) in paragraph (b), for “such person” substitute “ such officer ”,
- (d) in subsection (8) for “a person” substitute “ an officer ”, and
- (e) omit subsection (11).
- (4) In section 39 (responsibilities in relation to persons detained)—
- (a) in subsection (6)(a) omit “(or, if the custody officer is a staff custody officer, any police officer or any police employee)”, and
- (b) omit subsection (7).
- (5) In section 55 (intimate searches), in the definition of “appropriate officer” in subsection (17), omit paragraph (c) and the “or” immediately before it.
- 124 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 (S. I. 1989/1341 (N. I. 12)) is amended as follows.
- (2) In Article 37 (custody officers at police stations)—

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- (a) for paragraph (3) substitute—
    - “(3) No police officer may be appointed a custody officer unless the officer is of at least the rank of sergeant.”,
  - (b) in paragraph (5) for “an individual” substitute “an officer”,
  - (c) in paragraph (7)—
    - (i) in sub-paragraph (a) omit “or a staff custody officer” and for “such a person” substitute “such an officer”, and
    - (ii) in sub-paragraph (b) for “such person” substitute “such officer”,
  - (d) in paragraph (8) for “a person” substitute “an officer”, and
  - (e) omit paragraph (11).
- (3) In Article 40 (responsibilities in relation to persons detained)—
- (a) in paragraph (6)(a) omit “(or, if the custody officer is a staff custody officer, any police officer or any member of the police support staff)”, and
  - (b) omit paragraph (7).
- 125 (1) The Police Reform Act 2002 (c. 30) is amended as follows.
- (2) In section 38 (police powers for police authority employees) omit the following—
- (a) subsection (2)(e),
  - (b) subsection (6)(e), and
  - (c) subsection (10).
- (3) In Schedule 4 (powers exercisable by police civilians)—
- (a) omit Part 4A, and
  - (b) in paragraph 36(2A), for “Parts 2 and 4A” substitute “Part 2”.
- 126 (1) The Police (Northern Ireland) Act 2003 (c. 6) is amended as follows.
- (2) In section 30 (police powers for designated police support staff), omit the following—
- (a) subsection (1)(d),
  - (b) subsection (6)(d), and
  - (c) subsection (11).
- (3) In Schedule 2 (powers exercisable by designated persons) omit Part 3A.

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