

# SCHEDULES

## SCHEDULE 6

### DETENTION UNDER SECTION 27

#### PART 2

#### RIGHTS OF PERSONS DETAINED UNDER SECTION 27: ENGLAND, WALES AND NORTHERN IRELAND

##### *Taking of intimate and non-intimate samples*

- 13 (1) Where appropriate written consent to the taking of an intimate sample from a person under [paragraph 10](#) or [12](#) is refused without good cause, in any proceedings against that person for an offence—
- (a) the court, in determining whether to commit the person for trial or whether there is a case to answer, may draw such inferences from the refusal as appear proper, and
  - (b) the court or jury, in determining whether that person is guilty of the offence charged, may draw such inferences from the refusal as appear proper.
- (2) An intimate sample other than a sample of urine or a dental impression may be taken under [paragraph 10](#) or [12](#) only by a registered medical practitioner acting on the authority of a constable.
- (3) An intimate sample which is a dental impression may be taken under [paragraph 10](#) or [12](#) only by a registered dentist acting on the authority of a constable.
- (4) Where a sample of hair other than pubic hair is to be taken under [paragraph 10](#), the sample may be taken either by cutting hairs or by plucking hairs with their roots so long as no more are plucked than the person taking the sample reasonably considers to be necessary for a sufficient sample.