
STATUTORY INSTRUMENTS

1992 No. 2803

POLICE

**The Police and Criminal Evidence Act 1984
(Tape- recording of Interviews) (No. 2) Order 1992**

Made - - - - *9th November 1992*
Laid before Parliament *17th November 1992*
Coming into force - - *1st January 1993*

Whereas the Secretary of State, in pursuance of section 60(1)(a) of the Police and Criminal Evidence Act 1984(1), issued a code of practice in connection with the tape-recording of interviews of persons suspected of the commission of criminal offences which are held by police officers at police stations;

And whereas the Secretary of State, in pursuance of section 67(4) of that Act, by order(2) brought that code into operation on 29th July 1988;

And whereas the Secretary of State has made an order(3) bringing into force section 60(1)(b) of that Act for the Thames Valley police area; Now, therefore, in pursuance of the said section 60(1)(b), the Secretary of State hereby orders as follows:

1. This Order may be cited as the Police and Criminal Evidence Act 1984 (Tape-recording of Interviews) (No. 2) Order 1992 and shall come into force on 1st January 1993.

2. This Order shall apply to interviews of persons suspected of the commission of indictable offences which are held by police officers at police stations in the Thames Valley police area and which commence after midnight on 31st December 1992.

3.—(1) Subject to paragraph (2) below, interviews to which this Order applies shall be tape-recorded in accordance with the requirements of the code of practice on tape- recording which came into operation on 29th July 1988 as it has effect for the time being.

(2) The duty to tape-record interviews under paragraph (1) above shall not apply to interviews—

- (a) where the offence of which a person is suspected is one in respect of which he has been arrested or detained under section 14(1)(a) of the Prevention of Terrorism (Temporary Provisions) Act 1989(4); or

(1) 1984 c. 60.
(2) S.I. 1988/1200.
(3) S.I. 1992/2802.
(4) 1989 c. 4.

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- (b) where there are reasonable grounds for suspecting that the offence of which a person is suspected is connected to terrorism to which this paragraph applies or was committed in furtherance of the objectives of an organisation engaged in terrorism to which this paragraph applies; or
- (c) where a person is suspected on reasonable grounds of an offence under section 1 of the Official Secrets Act 1911⁽⁵⁾.

(3) In paragraph (2)(b) above, “terrorism” has the same meaning as in section 20(1) of the Prevention of Terrorism (Temporary Provisions) Act 1989⁽⁶⁾; and paragraph (2)(b) above applies to terrorism if it is—

- (a) terrorism connected with the affairs of Northern Ireland; or
- (b) terrorism of any other description except terrorism connected solely with the affairs of the United Kingdom or any part of the United Kingdom except Northern Ireland.

Home Office
9th November 1992

Kenneth Clarke
One of Her Majesty’s Principal Secretaries of
State

⁽⁵⁾ 1911 c. 28.
⁽⁶⁾ 1989 c. 4.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order requires the tape-recording of interviews held by police officers at police stations in the Thames Valley police area with persons suspected of the commission of indictable offences. By virtue of article 3(2) interviews about certain offences connected with terrorism, and offences under section 1 of the Official Secrets Act 1911, are excluded.

The Order comes into force on 1st January 1993 and applies to interviews commencing after midnight on 31st December 1992. The tape-recording of interviews held in all other police areas in England and Wales is already similarly required by virtue of S.I. [1991/2687](#).