
EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 1st January 2006 as the date on which revised codes of practice under sections 60(1)(a), 60A(1) and 66(1)(a)(i) and (ii) and (b) to (d) of the Police and Criminal Evidence Act 1984 (“the Act”) will come into operation, superseding codes of practice which have been in operation since 1st August 2004. These codes of practice relates to the exercise by police officers of statutory powers of stop and search (Code A), to search premises and property (Code B), to detain suspects (Code C), identification procedures (Code D), audio recording of interviews with suspects (Code E) and visual recording of interviews with suspects (Code F).

This Order also appoints 1st January 2006 as the date on which a new code of practice under section 66(1)(a)(iii) of the Act will come into operation. This code of practice relates to the exercise by police officers of statutory powers of arrest (Code G).

On 1st January 2006 the provisions of Part 2 of the Drugs Act 2005 relating to police powers to search for controlled drugs and to take X-rays and ultrasound scans of persons suspected of swallowing controlled drugs will be brought into force. A number of provisions of the Serious Organised Crime and Police Act 2005, notably those relating to the power of arrest, the power to search premises and the power to take footwear impressions from suspects, will also be brought into force on that date. The revised codes will reflect the changes necessitated by the amendments to primary legislation.

This Order revokes the Order set out in paragraph (a) of article 5 which brought the current versions of the codes of practice into operation.

This Order also revokes the Order set out in paragraph (b) of article 5 which made revisions to Code C.

The codes of practice will be published by the Stationery Office: copies may be obtained from its bookshops. The codes of practice will also be available on the Home Office website.