

*These notes refer to the Police Reform Act 2002
(c.30) which received Royal Assent on 24 July 2002*

POLICE REFORM ACT 2002

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Schedule 6: Specific offences which are arrestable offences

Section 57: Use of specimens taken from persons incapable of consenting

321. *Subsections (1), (2) and (3)* relate to the use in court of specimens taken under section 7 of the RTA 1988, as amended by section 55, by a registered health care professional at a police station or under 7A of the RTA 1988, as inserted by section 56, by a medical practitioner without consent. Their effect is that such specimens shall be treated in the same way as a specimen taken with consent by a medical practitioner.
322. *Subsection (4)* provides that when a specimen is taken without consent it must be divided in two, with one part being provided to the subject if he so requests when he gives his permission for the laboratory test of the sample. This parallels the provision for samples taken with consent, and enables the subject to have an independent laboratory test undertaken if he wishes.
323. *Subsection (5)* adds the provisions of subsection (4) to the list of conditions that need to be complied with in order that evidence from blood specimens is admissible in court.
324. *Subsection (6)* allows a registered health care professional as well as a medical practitioner to certify that specimens were properly taken.