

## **EXPLANATORY MEMORANDUM TO**

### **THE POLICE AND CRIMINAL EVIDENCE (NORTHERN IRELAND) ORDER 1989 (CODES OF PRACTICE) ORDER 2015**

**S.R. 2015 No. 225**

#### **1. General**

1.1 This Explanatory Memorandum has been prepared by the Department of Justice to accompany the above Statutory Rule, which is laid before the Northern Ireland Assembly.

#### **2. Description**

2.1 The Order brings into force on 1st June 2015 revisions to Codes of Practice A to H issued under Article 60, 60A, and 65 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE). This follows a general refresh of the codes to reflect current policing practices and procedures.

#### **3. Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

#### **4. Legislative Background**

4.1 This Order is made under Article 66(4) of the Police and Criminal Evidence (Northern Ireland) Order 1989 and is being laid before the Assembly pursuant to Article 89 of that Order.

#### **5. Territorial Extent and Application**

5.1 The Order applies to police officers in exercise of their powers in Northern Ireland.

#### **6. European Convention on Human Rights**

6.1 In the view of the Department the provisions of the Order are compatible with the Convention on Human Rights.

#### **7. Policy Background**

7.1 Articles 60, 60A and 65 of the Police and Criminal Evidence (Northern Ireland) Order 1989 provide for the Department of Justice to issue Codes of Practice governing certain aspects of police powers and procedures in Northern Ireland.

7.2 The last substantive review of the Codes of Practice was carried out in 2007 as part of a review of PACE in Northern Ireland. Codes C, E, F, and H have been revised since but only in specific areas. A general refresh of Codes A-H has now been carried out to reflect current policing practices and procedures.

7.3 Under Article 66(4) of PACE a revision of a Code does not come into operation

until the Department of Justice has by order provided for this.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this Order as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is negligible and is not expected to have an additional impact on resources over and above that which is already imposed by the current Codes of Practice.

## **9. Contact**

9.1 Gary Dodds at the Department of Justice Tel: 028 9052 8375 or e-mail: Gary.Dodds@dojni.x.gsi.gov.uk can answer any queries.