Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART IV

DETENTION

Detention—conditions and duration

[F1 37D Release [F2 on bail under section 37]: further provision

F3 (1) . . . . . .

F3 (2) . . . . . .

F3 (3) . . . . . .

(4) Where a person released on bail under section 37(7)(a) or 37C(2)(b) above returns to a police station to answer bail or is otherwise in police detention at a police station, he may be kept in police detention to enable him to be dealt with in accordance with section 37B or 37C above or to enable the power under [F4 section 47(4A)] to be exercised.

[F5 (4A) Where a person released on bail under [F6 section 37(7)(b)] or 37CA(2)(b) above returns to a police station to answer bail or is otherwise in police detention at a police station, he may be kept in police detention to enable him to be dealt with in accordance with section 37CA above or to enable the power under [F4 section 47(4A)] to be exercised.

(5) If the person mentioned in subsection (4) or (4A) above is not in a fit state to enable him to be dealt with as mentioned in that subsection or to enable the power under [F4 section 47(4A)] to be exercised, he may be kept in police detention until he is.]

(6) Where a person is kept in police detention by virtue of subsection (4) [F7, (4A)] or (5) above, section 37(1) to (3) and (7) above (and section 40(8) below so far as it relates to section 37(1) to (3)) shall not apply to the offence in connection with which he was released on bail under section [F8 37(7), 37C(2)(b) or 37CA(2)(b)] above.]

Changes to legislation: *Police and Criminal Evidence Act 1984, Section 37D is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F1 S. 37D inserted (29.1.2004) by Criminal Justice Act 2003 (c. 44), ss. 28, 336, **Sch. 2 para. 3**; S.I. 2004/81, **art. 4(1)(2)(c)**

F2 Words in s. 37D heading substituted (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 10, 53, **Sch. 6 para. 9(2)**; S.I. 2007/709, **art. 3(i)** (subject to arts. 6, 7)

F3 S. 37D(1)-(3) omitted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), **ss. 64(3)**, 183(1)(5)(e); S.I. 2017/399, reg. 2, Sch. para. 16 (with reg. 5)

Text here

F4 Words in s. 37D(4)-(5) substituted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), **ss. 64(4)**, 183(1)(5)(e); S.I. 2017/399, reg. 2, Sch. para. 16 (with reg. 5)

F5 S. 37D(4A)(5) substituted (1.4.2007) for s. 37D(5) by Police and Justice Act 2006 (c. 48), ss. 10, 53, **Sch. 6 para. 10(2)**; S.I. 2007/709, **art. 3(i)** (subject to arts. 6, 7)

F6 Words in s. 37D(4A) substituted (28.10.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 4 para. 7** (with s. 45(3)); S.I. 2022/1075, **reg. 4(b)**

F7 Word in s. 37D(6) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 10, 53, **Sch. 6 para. 10(3)(a)**; S.I. 2007/709, **art. 3(i)** (subject to arts. 6, 7)

F8 Words in s. 37D(6) substituted (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 10, 53, **Sch. 6 para. 10(3)(b)**; S.I. 2007/709, **art. 3(i)** (subject to arts. 6, 7)

Changes to legislation:
Police and Criminal Evidence Act 1984, Section 37D is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 17(1)(cza) inserted by 2021 c. 17 s. 26(9)
- s. 47A(3A) substituted by 2022 c. 35 Sch. 2 para. 7
- s. 61(6BA) inserted by 2008 c. 28 s. 10(1) (This amendment not applied to legislation.gov.uk. S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 63(3D) inserted by 2008 c. 28 s. 10(2) (This amendment not applied to legislation.gov.uk. S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64(1AA) inserted by 2008 c. 28 s. 10(4) (This amendment not applied to legislation.gov.uk. S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64A(1B)(cb) inserted by 2022 c. 32 Sch. 11 para. 18(a)
- Sch. 1A para. 21A added by 1995 c. 32, s. 8B(1) (as inserted) by 2006 c. 12 Sch. 3 para. 13