



Criminal Evidence (Amendment) Act 1997

1997 CHAPTER 17

Extension of power to take non-intimate body samples without consent

3 Taking of samples from detained persons at place where detained.

In section 63A of the 1984 Act (supplementary provisions about fingerprints and samples), after subsection (3) there shall be inserted—

“(3A) Where—

- (a) the power to take a non-intimate sample under section 63(3B) above is exercisable in relation to any person who is detained under Part III of the ^{M1}Mental Health Act 1983 in pursuance of—
 - (i) a hospital order or interim hospital order made following his conviction for the recordable offence in question, or
 - (ii) a transfer direction given at a time when he was detained in pursuance of any sentence or order imposed following that conviction, or
- (b) the power to take a non-intimate sample under section 63(3C) above is exercisable in relation to any person,

the sample may be taken in the hospital in which he is detained under that Part of that Act.

Expressions used in this subsection and in the ^{M2}Mental Health Act 1983 have the same meaning as in that Act.

- (3B) Where the power to take a non-intimate sample under section 63(3B) above is exercisable in relation to a person detained in pursuance of directions of the Secretary of State under section 53 of the ^{M3}Children and Young Persons Act 1933 the sample may be taken at the place where he is so detained.”

Changes to legislation: There are currently no known outstanding effects for the Criminal Evidence (Amendment) Act 1997, Section 3. (See end of Document for details)

Marginal Citations

M1 1983 c. 20.

M2 1983 c. 20.

M3 1933 c. 12.

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There are currently no known outstanding effects for the Criminal Evidence (Amendment) Act 1997, Section 3.