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STATUTORY INSTRUMENTS

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**1991 No. 2687**

**POLICE**

**The Police and Criminal Evidence Act 1984(Tape-recording of Interviews) (No. 1) Order 1991**

*Made* - - - - 29th November 1991  
*Laid before Parliament* 6th December 1991  
*Coming into force* - - 1st January 1992

Whereas the Secretary of State, in pursuance of section 60(1)(a) of the Police and Criminal Evidence Act 1984<sup>(1)</sup>, issued a code of practice in connection with the tape-recording of interviews of persons suspected of the commission of criminal offences which are held by police officers at police stations;

And whereas the Secretary of State, in pursuance of section 67(4) of that Act, by order<sup>(2)</sup> brought that code into operation on 29th July 1988;

And whereas the Secretary of State has made an order<sup>(3)</sup> bringing into force section 60(1)(b) of that Act for the areas specified in the Schedule to this Order;

Now, therefore, in pursuance of the said section 60(1)(b), the Secretary of State hereby orders as follows:

1. This Order may be cited as the Police and Criminal Evidence Act 1984 (Tape-recording of Interviews) (No. 1) Order 1991 and shall come into force on 1st January 1992.

2. This Order shall apply to interviews of persons suspected of the commission of indictable offences which are held by police officers at police stations in the police areas specified in the Schedule to this Order and which commence after midnight on 31st December 1991.

3.—(1) Subject to paragraph (2) below, interviews to which this Order applies shall be tape-recorded in accordance with the requirements of the code of practice on tape-recording which came into operation on 29th July 1988 as it has effect for the time being.

(2) The duty to tape-record interviews under paragraph (1) above shall not apply to interviews—

(a) where the offence of which a person is suspected is one in respect of which he has been arrested or detained under section 14(1)(a) of the Prevention of Terrorism (Temporary Provisions) Act 1989<sup>(4)</sup>; or

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(1) 1984 c. 60.  
(2) S.I.1988/1200.  
(3) S.I. 1991/2686.  
(4) 1989 c. 4.

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- (b) where there are reasonable grounds for suspecting that the offence of which a person is suspected is connected to terrorism to which this paragraph applies or was committed in furtherance of the objectives of an organisation engaged in terrorism to which this paragraph applies; or
- (c) where a person is suspected on reasonable grounds of an offence under section 1 of the Official Secrets Act 1911<sup>(5)</sup>.

(3) In paragraph (2)(b) above, “terrorism” has the same meaning as in section 20(1) of the Prevention of Terrorism (Temporary Provisions) Act 1989<sup>(6)</sup>; and paragraph (2)(b) above applies to terrorism if it is—

- (a) terrorism connected with the affairs of Northern Ireland; or
- (b) terrorism of any other description except terrorism connected solely with the affairs of the United Kingdom or any part of the United Kingdom except Northern Ireland.

Home Office  
29th November 1991

*Kenneth Baker*  
One of Her Majesty’s Principal Secretaries of  
State

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<sup>(5)</sup> 1911 c. 28.  
<sup>(6)</sup> 1989 c. 4.

SCHEDULE

Article 2

POLICE AREAS WHERE THE TAPE-RECORDING OF INTERVIEWS  
IS REQUIRED AFTER MIDNIGHT ON 31ST DECEMBER 1991

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Avon and Somerset  
Bedfordshire  
Cambridgeshire  
Cheshire  
City of London  
Cleveland  
Cumbria  
Derbyshire  
Devon and Cornwall  
Dorset  
Durham  
Dyfed-Powys  
Essex  
Gloucestershire  
Greater Manchester  
Gwent  
Hampshire  
Hertfordshire  
HumbersideKent  
Lancashire  
Leicestershire  
Lincolnshire  
Merseyside  
Metropolitan Police District

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Norfolk  
Northamptonshire  
Northumbria  
North Wales  
North Yorkshire  
Nottinghamshire  
South Wales  
South Yorkshire  
Staffordshire  
Suffolk  
Surrey  
Sussex  
Warwickshire  
West Mercia  
West Midlands  
West YorkshireWiltshire

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#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order requires the tape-recording of interviews held by police officers at police stations in the police areas mentioned in the Schedule to the Order with persons suspected of the commission of indictable offences. By virtue of article 3(2) interviews about certain offences connected with terrorism, and offences under section 1 of the Official Secrets Act 1911, are excluded.

The Order comes into force on 1st January 1992 and applies to interviews commencing after midnight on 31st December 1991.