

2003 No. 2397

POLICE, ENGLAND AND WALES

**The Police and Criminal Evidence Act 1984 (Remote
Reviews of Detention) (Specified Police Stations)
Regulations 2003**

Made - - - - - *15th September 2003*
Laid before Parliament *18th September 2003*
Coming into force - - - *1st November 2003*

The Secretary of State, in exercise of the powers conferred upon him by section 45A of the Police and Criminal Evidence Act 1984(a), hereby makes the following Regulations:

Citation and commencement etc.

1. These Regulations may be cited as the Police and Criminal Evidence Act 1984 (Remote Reviews of Detention) (Specified Police Stations) Regulations 2003 and shall come into force on 1st November 2003.
2. These Regulations shall have effect in relation only to the police stations at Alton and Winchester (North Walls) in the Hampshire police area(b).

Remote Reviews of Detention

- 3.—(1) In the case of an arrested person who is held at a police station specified in regulation 2, the function of carrying out a review under section 40(1)(b) of the Police and Criminal Evidence Act 1984 (review, by an officer of at least the rank of inspector, of the detention of a person arrested but not charged) may be performed by an officer who—
 - (a) is not present at the police station where the arrested person is held; but
 - (b) has access to the use of video-conferencing facilities that enable him to communicate with persons in that station.
- (2) An officer performing a review of the type specified in paragraph (1) shall use the video-conferencing facilities so as to enable him to communicate with persons in that station.

Home Office
15th September 2003

Hazel Blears
Minister of State

(a) 1984 c. 60; section 45A was inserted by section 73(3) of the Criminal Justice and Police Act 2001 (c. 16).
(b) The term “police area” has the meaning ascribed to it in section 101 of the Police Act 1996 (c. 16) by virtue of Schedule 1 to the Interpretation Act 1978 (c. 30).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations permit the review of detention of persons arrested but not charged required by section 40(1)(b) of the Police and Criminal Evidence Act 1984 (“the 1984 Act”) to be conducted by an officer of at least the rank of inspector by way of video-conferencing facilities rather than by personal attendance at the police station where the person is being detained. Video-conferencing facilities are defined in section 45A(10) of the 1984 Act as any facilities (whether a live television link or other facilities) by means of which the officer performing the review and the arrested person and his legal representative (if he has one) can both see and hear each other.

The use of video-conferencing facilities is being piloted and will only apply in relation to persons held at Alton and Winchester (North Walls) police stations in Hampshire.

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