



2016 CHAPTER 18

PART 15

SUPPLEMENTARY

Custody, detention etc

Provisions as to custody, detention etc

294.—(1) A person who is—

- (a) being removed from any place, or taken to or detained in any place, by virtue of Part 9 (power of police to remove person to place of safety), or
- (b) being taken to or detained in any place by virtue of Part 10 (criminal justice),

is to be treated as being in legal custody.

(2) Subsection (3) applies to a constable or other person (“the relevant person”) who is required or authorised by virtue of Part 9 or 10 to—

- (a) take a person into custody;
- (b) take a person to any place; or
- (c) detain a person in any place.

(3) For the purposes of—

- (a) taking the person into custody,
- (b) taking the person to the place, or
- (c) detaining the person in the place,

the relevant person has all the powers, authorities, protections and privileges which a constable has within the area for which he or she acts as constable.

(4) Nothing in subsection (3) affects any other power, or authority to do an act, that the relevant person (or any other person) may have.