
STATUTORY INSTRUMENTS

1989 No. 1341

**The Police and Criminal Evidence
(Northern Ireland) Order 1989**

PART IV

ARREST

Arrest elsewhere than at police station

32.—^[F1](1) Paragraph (1A) shall apply where a person is, at any place other than a police station—

- (a) arrested by a constable for an offence; or
- (b) taken into custody by a constable after being arrested for an offence by a person other than a constable.

(1A) The person must be taken by a constable to a police station as soon as practicable after the arrest.

(1B) Paragraph (1A) has effect subject to paragraph (10) and Article 32A.]

(2) Subject to paragraphs (3) and (6), the police station to which an arrested person is taken under^[F1] paragraph (1A)] shall be a designated police station.

(3) A constable to whom this paragraph applies may take an arrested person to any police station unless it appears to the constable that it may be necessary to keep the arrested person in police detention for more than six hours.

(4) Paragraph (3) applies—

- (a) to a constable who is working in a locality covered by a police station which is not a designated police station; and
- (b) to a constable belonging to a constabulary not maintained by the^[F2] Policing Board].

(5) Any constable may take an arrested person to any police station if—

- (a) either of the following conditions is satisfied—
 - (i) the constable has arrested him without the assistance of any other constable and no other constable is available to assist him;
 - (ii) the constable has taken him into custody from a person other than a constable without the assistance of any other constable and no other constable is available to assist him; and
- (b) it appears to the constable that he will be unable to take the arrested person to a designated police station without the arrested person injuring himself, the constable or some other person.

(6) Any constable may take an arrested person to any police station if it appears to the constable that he will be unable to take the arrested person to a designated police station without exposing the arrested person or himself to an unacceptable risk of injury.

Changes to legislation: The Police and Criminal Evidence (Northern Ireland) Order 1989, Section 32 is up to date with all changes known to be in force on or before 14 April 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

(7) If the first police station to which an arrested person is taken after his arrest is not a designated police station, he shall be taken to a designated police station not more than six hours after his arrival at the first police station unless—

- (a) he is released previously; or
- (b) the arrest was made by a police officer and the continued detention at the first police station is authorised by an officer not below the rank of superintendent.

(8) For the purposes of paragraph (7)(b) such an officer may authorise the continued detention of a person at the first police station to which the person is taken only if that officer is satisfied on reasonable grounds that it would expose the person, and those accompanying him, to an unacceptable risk of injury if he were to be taken from the first police station.

(9) Where the continued detention of a person at the first police station is authorised under paragraph (8), the police officer who gave the authorisation shall—

- (a) as soon as practicable thereafter, make a record of—
 - (i) the time at which the authorisation was given, and
 - (ii) the reasons for giving it; and
- (b) revoke that authorisation as soon as he is satisfied that the reasons for giving it no longer apply.

^[F1](10) A person arrested by a constable at any place other than a police station must be released without bail if the condition in paragraph (10A) is satisfied.

(10A) The condition is that, at any time before the person arrested reaches a police station, a constable is satisfied that there are no grounds for keeping him under arrest or releasing him on bail under Article 32A.]

(11) A constable who releases a person under paragraph (10) shall record the fact that he has done so.

(12) The constable shall make the record as soon as is practicable after the release.

^[F1](13) Nothing in paragraph (1A) or in Article 32A prevents a constable delaying taking a person to a police station or releasing him on bail if the condition in paragraph (13A) is satisfied.

(13A) The condition is that the presence of the person at a place (other than a police station) is necessary in order to carry out such investigations as it is reasonable to carry out immediately.

(14) Where there is any such delay the reasons for the delay must be recorded when the person first arrives at a police station or (as the case may be) is released on bail.]

(15) Nothing in^[F1] paragraph (1A) or Article 32A] shall be taken to affect—

- (a) paragraph 16(3) or 18(1) of Schedule 2 to the Immigration Act 1971^{F3, F4} ...
- ^[F5](b) any provision of the Terrorism Act 2000.^[F6]; or
- (c) section 27 of and Schedule 6 to the National Security Act 2023.]

(16) Nothing in paragraph (13) shall be taken to affect paragraph 18(3) of Schedule 2 to the Immigration Act 1971.

F1 2004 NI 9

F2 2000 c. 32

F3 1971 c. 77

F4 Word in art. 32(15)(a) omitted (20.12.2023) by virtue of [The National Security Act 2023 \(Consequential Amendments of Primary Legislation\) Regulations 2023 \(S.I. 2023/1386\)](#), reg. 1(2), [Sch. para. 9\(3\)\(a\)](#)

F5 2000 c. 11

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F6 Art. 32(15)(c) and word inserted (20.12.2023) by [The National Security Act 2023 \(Consequential Amendments of Primary Legislation\) Regulations 2023 \(S.I. 2023/1386\), reg. 1\(2\), Sch. para. 9\(3\)\(b\)](#)

Modifications etc. (not altering text)

- C1** Art. 32(1)-(4)(a) applied (with modifications) (1.12.2007) by [Police and Criminal Evidence \(Application to Revenue and Customs\) Order \(Northern Ireland\) 2007 \(S.R. 2007/464\), arts. 3-15, Sch. 1, Sch. 2](#)
- C2** Art. 32(1)-(14) applied (with modifications) (18.5.2009) by [Police and Criminal Evidence \(Application to the Police Ombudsman\) Order \(Northern Ireland\) 2009 \(S.R. 2009/142\), art. 3, Sch. 1, Sch. 2](#)
- C3** Art. 32(5)-(14) applied (with modifications) (1.12.2007) by [Police and Criminal Evidence \(Application to Revenue and Customs\) Order \(Northern Ireland\) 2007 \(S.R. 2007/464\), arts. 3-15, Sch. 1, Sch. 2](#)

Changes to legislation:

The Police and Criminal Evidence (Northern Ireland) Order 1989, Section 32 is up to date with all changes known to be in force on or before 14 April 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.

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Changes and effects yet to be applied to :

- various legislation applied by [2016 c. 18 \(N.I.\) s. 161\(2\)\(a\)](#)
- art. 32 applied (with modifications) by [2011 c. 24 \(N.I.\) s. 76\(2\)\(a\)\(3\)](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order applied by [2016 c. 18 \(N.I.\) s. 150\(1\)\(a\)](#)
- Order excluded by [2012 c. 9 Sch. 1 para. 7\(5\)](#)
- Order extended by [2003 c. 6 Sch. 4 para. 23A \(as inserted\) by S.I. 2007/912 \(N.I.\) Sch. 4 para. 5](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2A para. 1(4) inserted by [2015 c. 9 \(N.I.\) s. 83\(3\)\(a\)\(ii\)](#)
- Sch. 2A para. 2(2)(c) and word inserted by [2015 c. 9 \(N.I.\) s. 83\(3\)\(b\)\(ii\)](#)
- Sch. 2A para. 9(4) inserted by [2015 c. 9 \(N.I.\) s. 83\(3\)\(c\)\(ii\)](#)
- Sch. 2A para. 10(5) inserted by [2015 c. 9 \(N.I.\) s. 83\(3\)\(d\)\(ii\)](#)
- Sch. 2A para. 2(2)(b) words substituted by [2015 c. 9 \(N.I.\) s. 83\(3\)\(b\)\(i\)](#)
- art. 62(10)(ab) words substituted in earlier affecting provision [2015 c. 9 \(N.I.\)](#), Sch. 2 para. 6(3)(b) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(e\)](#)
- art. 3(9ZA)(9ZB) inserted by [2019 c. 17 s. 12\(5\)](#)
- art. 19(1)(cc) inserted by [S.I. 2007/916 \(N.I.\) art. 18\(2\)](#)
- art. 53(3A)(3B) inserted by [2013 c. 7 \(N.I.\) Sch. 3 para. 1\(3\)](#)
- art. 53(3A) inserted by [2010 c. 17 s. 15\(4\)](#)
- art. 53(4) inserted by [2010 c. 17 s. 9\(6\)](#)
- art. 53B inserted by [2013 c. 7 \(N.I.\) Sch. 3 para. 3](#)
- art. 56(13A)(b)(iii) and word substituted for word by [2015 c. 9 \(N.I.\) Sch. 2 para. 6\(1\)\(b\)](#)
- art. 56(13A)(b)(iii) words substituted in earlier affecting provision [2015 c. 9 \(N.I.\)](#), Sch. 2 para. 6(1)(b) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(e\)](#)
- art. 56A(9)(b)(iii) and word substituted for word by [2015 c. 9 \(N.I.\) Sch. 2 para. 6\(2\)\(b\)](#)
- art. 56A(9)(b)(iii) words substituted in earlier affecting provision [2015 c. 9 \(N.I.\)](#), Sch. 2 para. 6(2)(b) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(e\)](#)
- art. 61(5A) inserted by [2010 c. 17 s. 8\(1\)](#)
- art. 61(5A)(b) words substituted by [2015 c. 9 \(N.I.\) s. 83\(1\)\(a\)](#)
- art. 61(5B) inserted by [2010 c. 17 s. 8\(2\)](#)
- art. 61(5B)(b) words substituted by [2015 c. 9 \(N.I.\) s. 83\(1\)\(a\)](#)
- art. 61(5C) inserted by [2015 c. 9 \(N.I.\) s. 83\(1\)\(b\)](#)
- art. 61(6)-(6ZD) substituted for art. 61(6) by [2010 c. 17 s. 8\(3\)](#)
- art. 61(6D)-(6G) inserted by [2010 c. 17 s. 9\(1\)](#)
- art. 61(6BA) inserted by [2008 c. 28 s. 12\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 12 omitted (14.12.2011) by virtue of [2011 c. 23, ss. 29, 31\(2\)](#), Sch. 7 para. 5(3))
- art. 62(2A)(2B) inserted by [2010 c. 17 s. 9\(2\)](#)
- art. 62(10)(ab) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 6\(3\)\(b\)](#)
- art. 62(10)(ab) words substituted in earlier affecting provision [2015 c. 9 \(N.I.\)](#), Sch. 2 para. 6(3)(b) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(e\)](#)
- art. 63(3A)(c)(i) word substituted by [2013 c. 7 \(N.I.\) Sch. 3 para. 4](#)

- art. 63(3B)-(3BD) substituted for art. 63(3B) by [2010 c. 17 s. 8\(7\)](#)
- art. 63(3C) inserted by [2008 c. 28 s. 12\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 12 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 63(3D)-(3G) inserted by [2010 c. 17 s. 9\(4\)](#)
- art. 63(3AA) inserted by [2015 c. 9 \(N.I.\) s. 83\(2\)\(c\)](#)
- art. 63(3ZA) inserted by [2010 c. 17 s. 8\(5\)](#)
- art. 63(3ZA)(b)(iii) and word inserted by [2015 c. 9 \(N.I.\) s. 83\(2\)\(a\)](#)
- art. 63A(1E)(1F) inserted by [2010 c. 17 s. 11\(1\)](#)
- art. 63A(6A) inserted by [2008 c. 28 s. 12\(4\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 12 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 63B-63R inserted by [2013 c. 7 \(N.I.\) Sch. 2](#)
- art. 63D(1)(a) substituted by [2019 c. 3 Sch. 2 para. 5\(2\)\(a\)](#)
- art. 63D(1)(a)(i) words inserted by [S.I. 2023/1386 Sch. para. 9\(5\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63D(14) words inserted by [2019 c. 3 Sch. 2 para. 5\(2\)\(b\)](#)
- art. 63D(14) words inserted by [S.I. 2023/1386 Sch. para. 9\(5\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63N substituted by [2015 c. 9 \(N.I.\) s. 86](#)
- art. 63R(4A) inserted by [2019 c. 3 Sch. 4 para. 20\(9\)](#)
- art. 63R(4B) inserted by [2023 c. 32 Sch. 18 para. 5\(8\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of art. 63R by 2013 c. 7 (N.I.) Sch. 2 remains prospective at 31.12.2023.)
- art. 63R(5) words substituted by [2015 c. 9 \(N.I.\) s. 87\(a\)](#)
- art. 63R(5A)(5B) inserted by [2015 c. 9 \(N.I.\) s. 87\(b\)](#)
- art. 63DA inserted by [2019 c. 3 Sch. 2 para. 5\(3\)](#)
- art. 63DA heading words inserted by [S.I. 2023/1386 Sch. para. 9\(6\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63DA(1)(a) words inserted by [S.I. 2023/1386 Sch. para. 9\(6\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63DA(4) words inserted by [S.I. 2023/1386 Sch. para. 9\(6\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertions of ss. 63D and 63DA by 2013 c. 7 (N.I.), Sch. 2 and 2019 c. 3, Sch. 2 para. 5 respectively are still prospective)
- art. 63GA inserted by [2015 c. 9 \(N.I.\) s. 84](#)
- art. 63KA inserted by [2015 c. 9 \(N.I.\) s. 85](#)
- art. 64(1AA) inserted by [2008 c. 28 s. 12\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 12 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- art. 64(1AB) inserted by [2008 c. 28 s. 15\(5\)](#)
- art. 89(2A) inserted by [2013 c. 7 \(N.I.\) Sch. 3 para. 5](#)