



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART VIII

#### EVIDENCE IN CRIMINAL PROCEEDINGS—GENERAL

##### *Part VIII—supplementary*

##### **Modifications etc. (not altering text)**

- C1** Pt. VIII modified (2.10.2000) by S.I. 2000/2370, rule 27(2), Sch. 3 Pt. III para. 18(a)  
Pt. VIII modified (2.10.2000) by S.I. 2000/2371 rule, 27(2), Sch. 3 Pt. III para. 18(a)

#### **82 Part VIII— interpretation.**

(1) In this Part of this Act—

“confession”, includes any statement wholly or partly adverse to the person who made it, whether made to a person in authority or not and whether made in words or otherwise;

[<sup>F1</sup>“court-martial” means a court-martial constituted under the <sup>M1</sup>Army Act 1955, the <sup>M2</sup>Air Force Act 1955 or the <sup>M3</sup>Naval Discipline Act 1957<sup>F2</sup>. . . ;]

“proceedings” means criminal proceedings, including [<sup>F3</sup>service proceedings;]

“Service court” means [<sup>F4</sup>the Court Martial or the Service Civilian Court].

[<sup>F5</sup>(1A) In subsection (1) “service proceedings” means proceedings before a court (other than a civilian court) in respect of a service offence; and “service offence” and “civilian court” here have the same meanings as in the Armed Forces Act 2006.]

(2) [<sup>F6</sup>In this Part of this Act references to conviction before a Service court are [<sup>F7</sup>references to a finding of guilty which is, or falls to be treated as, the finding of the court; and]“convicted” shall be construed accordingly.]

*Status: Point in time view as at 28/03/2009.*

*Changes to legislation: Police and Criminal Evidence Act 1984, Cross Heading: Part VIII—supplementary is up to date with all changes known to be in force on or before 28 May 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)*

- (3) Nothing in this Part of this Act shall prejudice any power of a court to exclude evidence (whether by preventing questions from being put or otherwise) at its discretion.

#### **Extent Information**

- E1** S. 82 extends to England and Wales only with exceptions as regards courts martial, see s. 120(1)(6)-(8)

#### **Textual Amendments**

- F1** S. 82(1): definition of "court-martial" repealed (28.3.2009 for certain purposes and otherwise prosp.) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, Sch. 16 para. 104(2)(a), [Sch. 17](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059)
- F2** Words in s. 82(1) repealed (28.2.2002) by 2001 c. 19, s. 38, Sch. 7 Pt. I; S.I. 2002/345, [art. 2](#) (subject to [art. 3](#))
- F3** S. 82(1): words in definition of "Proceedings" substituted (28.3.2009 for certain purposes and otherwise prosp.) for "paragraphs (a) to (c)" by virtue of [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383 {Sch. 16 para. 104(2)(b)}; S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059)
- F4** S. 82(1): words in definition of "Service Court" substituted (28.3.2009 for certain purposes and otherwise prosp.) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383 {Sch. 16 para. 104(2)(c)}; S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059)
- F5** S. 82(1A) inserted (28.3.2009 for certain purposes and otherwise prosp.) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 16 para. 104\(3\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059)
- F6** S. 82(2) repealed (28.3.2009 for certain purposes and otherwise prosp.) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, Sch. 16 para. 104(4), [Sch. 17](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059)
- F7** Words in s. 82(2) substituted (1.4.1997) by 1996 c. 46, s. 35(1), [Sch. 6 para. 14](#); S.I. 1997/304, [art. 2](#) (with savings in [art 3\(3\)](#) and transitional provisions in [art. 4](#), Sch. 2 para. 1)

#### **Modifications etc. (not altering text)**

- C2** S. 82(1) modified (24.4.2009 for certain purposes and prosp. otherwise) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(3), 205, [Sch. 1 para. 28\(1\)](#)

#### **Marginal Citations**

- M1** 1955 c. 18.  
**M2** 1955 c. 19.  
**M3** 1957 c. 53.

**Status:**

Point in time view as at 28/03/2009.

**Changes to legislation:**

Police and Criminal Evidence Act 1984, Cross Heading: Part VIII—supplementary is up to date with all changes known to be in force on or before 28 May 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.