



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART III

#### ARREST

#### **30 Arrest elsewhere than at police station.**

- [<sup>F1</sup>(1) Subsection (1A) applies 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) Subsection (1A) has effect subject to section 30A (release on bail) and subsection (7) (release without bail).]
- (2) Subject to subsections (3) and (5) below, the police station to which an arrested person is taken under [<sup>F2</sup>subsection (1A)] above shall be a designated police station.
- (3) A constable to whom this subsection 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) Subsection (3) above 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 body of constables maintained by an authority other than a [<sup>F3</sup>local policing body].
- (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;

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- (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) 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 he is released previously.
- [<sup>F4</sup>(7) A person arrested by a constable at any place other than a police station must be released without bail if the condition in subsection (7A) is satisfied.
- (7A) 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 section 30A.]
- (8) A constable who releases a person under subsection (7) above shall record the fact that he has done so.
- (9) The constable shall made the record as soon as is practicable after the release.
- [<sup>F5</sup>(10) Nothing in subsection (1A) or in section 30A prevents a constable delaying taking a person to a police station or releasing him on bail if the condition in subsection (10A) is satisfied.
- (10A) 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.
- (11) Where there is any such delay the reasons for the delay must be recorded when the person first arrives at the police station or (as the case may be) is released on bail.]
- (12) Nothing in [<sup>F6</sup>subsection (1A) or section 30A] above shall be taken to affect—
- (a) paragraphs 16(3) or 18(1) of Schedule 2 to the <sup>M1</sup>Immigration Act 1971;
- (b) section 34(1) of the <sup>M2</sup>Criminal Justice Act 1972; or
- [<sup>F7</sup>(c) any provision of the Terrorism Act 2000.]
- (13) Nothing in subsection (1) above shall be taken to affect paragraph 18(3) of Schedule 2 to the Immigration Act 1971.

#### Textual Amendments

- F1** S. 30(1)-(1B) substituted (20.1.2004) for s. 30(1) by Criminal Justice Act 2003 (c. 44), ss. 4(2), 336; S.I. 2004/81, art. 2(1)(2)(a)
- F2** Words in s. 30(2) substituted (20.1.2004) by Criminal Justice Act 2003 (c. 44), ss. 4(3), 336; S.I. 2004/81, art. 2(1)(2)(a)
- F3** Words in s. 30(4)(b) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 161; S.I. 2011/3019, art. 3, Sch. 1
- F4** S. 30(7)(7A) substituted for s. 30(7) (20.1.2004) by Criminal Justice Act 2003 (c. 44), ss. 4(4), 336; S.I. 2004/81, art. 2(1)(2)(a)
- F5** S. 30(10)(10A)(11) substituted (20.1.2004) for s. 30(10)(11) by Criminal Justice Act 2003 (c. 44), ss. 4(5), 336; S.I. 2004/81, art. 2(1)(2)(a)

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- F6** Words in s. 30(12) substituted (20.1.2004) by Criminal Justice Act 2003 (c. 44), **ss. 4(6)**, 336; S.I. 2004/81, **art. 2(1)(2)(a)**
- F7** S. 30(12)(c) substituted (19.2.2001) by 2000 c. 11, **ss. 125, Sch. 15 para. 5(2)** (with s. 129(1)(b)); 2001/421, art. 2

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

- C1** S. 30 extended (2.8.1993) by S.I. 1993/1813, **art. 6, Sch. 3 para. 2(6)**; s. 30 extended by the said S.I. 1993/1813, **art. 6, Sch. 3 para. 2** as in incorporated (with modifications) (1.12.1997) by S.I. 1994/1405, **art. 6, Sch. 3 para. 3**
- C2** S. 30 modified (2.12.2002) by Police Reform Act 2002 (c. 30), s. 38, **Sch. 4 Pt. 4 para. 34(1)(b)**; S.I. 2002/2750, **art. 2(a)(ii)(d)**
- C3** S. 30 applied (with modifications) by Criminal Justice Act 2003 (c. 44), s. 24B(1)-(3) (as inserted (29.6.2007) by Police and Justice Act 2006 (c. 48), **ss. 18(1)**, 53 (with s. 18(2)); S.I. 2007/1614, **art. 2(e)**
- C4** S. 30(1)-(4)(a) applied (with modifications) (25.6.2013) by The Police and Criminal Evidence Act 1984 (Application to immigration officers and designated customs officials in England and Wales) Order 2013 (S.I. 2013/1542), arts. 1, 12(2)-(4), **Sch. 2** (with arts. 13-31)
- C5** S. 30(1)-(4)(a) applied (with modifications) (25.6.2013) by The Police and Criminal Evidence Act 1984 (Application to immigration officers and designated customs officials in England and Wales) Order 2013 (S.I. 2013/1542), arts. 1, 3(2)-(4), **Sch. 1** (with arts. 4-11)
- C6** S. 30(1)-(4)(a) applied (with modifications) (4.11.2015) by The Police and Criminal Evidence Act 1984 (Application to Revenue and Customs) Order 2015 (S.I. 2015/1783), arts. 1, 3(1), **Sch. 1** (with art. 3(2), (3), 4-19, Sch. 2)
- C7** Ss. 8, 9, 15, 16, 17(1)(b(2) (4), 18–20, 21, 22(1)–(4), 28, 29, 30(1)–(4)(a)(5)–(11), 31, 32(1)–(9), 34(1)–(5), 35, 36, 37, 39, 40–44, 50, 51(d), 52, 54, 55, 64(1)–(4)(5)(6), Sch. 1 applied with modifications by S.I. 1985/1800, arts. 3–11, Schs. 1, 2
- C8** S. 30(5)-(13) applied (with modifications) (25.6.2013) by The Police and Criminal Evidence Act 1984 (Application to immigration officers and designated customs officials in England and Wales) Order 2013 (S.I. 2013/1542), arts. 1, 3(2)-(4), **Sch. 1** (with arts. 4-11)
- C9** S. 30(5)-(13) applied (with modifications) (25.6.2013) by The Police and Criminal Evidence Act 1984 (Application to immigration officers and designated customs officials in England and Wales) Order 2013 (S.I. 2013/1542), arts. 1, 12(2)-(4), **Sch. 2** (with arts. 13-31)
- C10** S. 30(5)-(11) applied (with modifications) (4.11.2015) by The Police and Criminal Evidence Act 1984 (Application to Revenue and Customs) Order 2015 (S.I. 2015/1783), arts. 1, 3(1), **Sch. 1** (with art. 3(2), (3), 4-19, Sch. 2)

#### **Marginal Citations**

- M1** 1971 c. 77.
- M2** 1972 c. 71.

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