



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART IV

#### DETENTION

##### *Detention—miscellaneous*

#### **49 Police detention to count towards custodial sentence**

- (1) In subsection (1) of section 67 of the Criminal Justice Act 1967 (computation of custodial sentences) for the words from " period ", in the first place where it occurs, to " the offender " there shall be substituted the words " relevant period, but where he " .
- (2) The following subsection shall be inserted after that subsection—

“(1A) In subsection (1) above " relevant period " means—

  - (a) any period during which the offender was in police detention in connection with the offence for which the sentence was passed; or
  - (b) any period during which he was in custody—
    - (i) by reason only of having been committed to custody by an order of a court made in connection with any proceedings relating to that sentence or the offence for which it was passed or any proceedings from which those proceedings arose ; or
    - (ii) by reason of his having been so committed and having been concurrently detained otherwise than by order of a court.”.
- (3) The following subsections shall be added after subsection (6) of that section—

“(7) A person is in police detention for the purposes of this section—

  - (a) at any time when he is in police detention for the purposes of the Police and Criminal Evidence Act 1984; and
  - (b) at any time when he is detained under section 12 of the Prevention of Terrorism (Temporary Provisions) Act 1984.

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*Status: This is the original version (as it was originally enacted).*

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- (8) No period of police detention shall be taken into account under this section unless it falls after the coming into force of section 49 of the Police and Criminal Evidence Act 1984.”