



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART V

QUESTIONING AND TREATMENT OF PERSONS BY POLICE

[^{F1}63A Fingerprint and samples: supplementary provisions.

[Where a person has been arrested on suspicion of being involved in a recordable ^{F2}(1) offence or has been charged with such an offence or has been informed that he will be reported for such an offence, fingerprints or samples or the information derived from samples taken under any power conferred by this Part of this Act from the person may be checked against—

- (a) other fingerprints or samples to which the person seeking to check has access and which are held by or on behalf of a police force (or police forces) falling within subsection (1A) below or are held in connection with or as a result of an investigation of an offence;
- (b) information derived from other samples if the information is contained in records to which the person seeking to check has access and which are held as mentioned in paragraph (a) above.

(1A) Each of the following police forces falls within this subsection—

- (a) a police force within the meaning given by section 62 of the ^{M1}Police Act 1964 (which relates to England and Wales);
- (b) a police force within the meaning given by section 50 of the ^{M2}Police (Scotland) Act 1967;
- (c) the Royal Ulster Constabulary and the Royal Ulster Constabulary Reserve;
- (d) the States of Jersey Police Force;
- (e) the salaried police force of the Island of Guernsey;
- (f) the Isle of Man Constabulary.]

(2) Where a sample of hair other than pubic hair is to be taken the sample may be taken either by cutting hairs or by plucking hairs with their roots so long as no more are

Status: Point in time view as at 05/07/1996. This version of this provision has been superseded.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 63A is up to date with all changes known to be in force on or before 18 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)

plucked than the person taking the sample reasonably considers to be necessary for a sufficient sample.

- (3) Where any power to take a sample is exercisable in relation to a person the sample may be taken in a prison or other institution to which the ^{M3}Prison Act 1952 applies.
- (4) Any constable may, within the allowed period, require a person who is neither in police detention nor held in custody by the police on the authority of a court to attend a police station in order to have a sample taken where—
 - (a) the person has been charged with a recordable offence or informed that he will be reported for such an offence and either he has not had a sample taken from him in the course of the investigation of the offence by the police or he has had a sample so taken from him but either it was not suitable for the same means of analysis or, though so suitable, the sample proved insufficient; or
 - (b) the person has been convicted of a recordable offence and either he has not had a sample taken from him since the conviction or he has had a sample taken from him (before or after his conviction) but either it was not suitable for the same means of analysis or, though so suitable, the sample proved insufficient.
- (5) The period allowed for requiring a person to attend a police station for the purpose specified in subsection (4) above is—
 - (a) in the case of a person falling within paragraph (a), one month beginning with the date of the charge or one month beginning with the date on which the appropriate officer is informed of the fact that the sample is not suitable for the same means of analysis or has proved insufficient, as the case may be;
 - (b) in the case of a person falling within paragraph (b), one month beginning with the date of the conviction or one month beginning with the date on which the appropriate officer is informed of the fact that the sample is not suitable for the same means of analysis or has proved insufficient, as the case may be.
- (6) A requirement under subsection (4) above—
 - (a) shall give the person at least 7 days within which he must so attend; and
 - (b) may direct him to attend at a specified time of day or between specified times of day.
- (7) Any constable may arrest without a warrant a person who has failed to comply with a requirement under subsection (4) above.
- (8) In this section “the appropriate officer” is—
 - (a) in the case of a person falling within subsection (4)(a), the officer investigating the offence with which that person has been charged or as to which he was informed that he would be reported;
 - (b) in the case of a person falling within subsection (4)(b), the officer in charge of the police station from which the investigation of the offence of which he was convicted was conducted.]

Textual Amendments

F1 S. 63A inserted (10.4.1995) by 1994 c. 33, s. 56; S.I. 1995/721, art. 2, Sch.

F2 S. 63A(1)(1A) substituted for s. 63A(1) (5.7.1996) by 1996 c. 25, s.64 (with s. 78(1))

Modifications etc. (not altering text)

C1 S. 63A(1) applied (with modifications) (1.2.1997) by S.I. 1997/15, art. 2(1), Sch.

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S. 63A(2) applied (1.2.1997) by S.I. 1997/15, art. 2(1), Sch.

Marginal Citations

M1 1964 c. 48.

M2 1967 c. 77.

M3 1952 c. 52.

Status:

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