Criminal Justice Act 1988

1988 CHAPTER 33

PART XI

MISCELLANEOUS

Amendments of Police and Criminal Evidence Act 1984 etc.

147 Searches of detained persons

In section 54 of the Police and Criminal Evidence Act l984 (searches of detained persons)—

(a) the following paragraph shall be substituted for subsection (1)(b)—

"(b) arrested at the station or detained there under section 47(5) above."; and

(b) the following subsections shall be inserted after subsection (6)—

"(6A) A person who is in custody at a police station or is in police detention otherwise than at a police station may at any time be searched in order to ascertain whether he has with him anything which he could use for any of the purposes specified in subsection (4)(a) above.

(6B) Subject to subsection (6C) below, a constable may seize and retain, or cause to be seized and retained, anything found on such a search.

(6C) A constable may only seize clothes and personal effects in the circumstances specified in subsection (4) above.".

148 Computer data about fingerprints

(1) The following subsection shall be substituted for subsection (5) of section 64 of the Police and Criminal Evidence Act 1984 (destruction of fingerprints etc.)—

"(5) If fingerprints are destroyed—

(a) any copies of the fingerprints shall also be destroyed; and

(b) any chief officer of police controlling access to computer data relating to the fingerprints shall make access to the data impossible, as soon as it is practicable to do so.".

(2) The following subsections shall be inserted after subsection (6) of that section—

"(6A) If—

(a) subsection (5)(b) above falls to be complied with; and

(b) the person to whose fingerprints the data relate asks for a certificate that it has been complied with,

such a certificate shall be issued to him, not later than the end of the period of three months beginning with the day on which he asks for it, by the responsible chief officer of police or a person authorised by him or on his behalf for the purposes of this section.

(6B) In this section—

"chief officer of police" means the chief officer of police for an area mentioned in Schedule 8 to the Police Act 1964; and

"the responsible chief officer of police" means the chief officer of police in whose area the computer data were put on to the computer.".

149 Body samples— Northern Ireland

Schedule 14 shall have effect with respect to the taking of samples from persons in Northern Ireland in connection with the investigation of offences to which it applies.