

**Changes to legislation:** Criminal Justice and Public Order Act 1994, Paragraph 11 is up to date with all changes known to be in force on or before 09 July 2023. 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) View outstanding changes

## [<sup>F1</sup>SCHEDULE 7B

### RIGHTS OF PERSONS ARRESTED UNDER SECTION 137A: MODIFICATIONS

#### Textual Amendments

- F1** Sch. 7B inserted (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 16](#); [S.I. 2018/227](#), art. 2(g)

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

- C1** Sch. 7B applied (with modifications) by 2013 c. 22, Sch. 21 para. 42B, 42D (as inserted (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 17 para. 10\(3\)](#); [S.I. 2018/227](#), art. 2(g))
- C1** Sch. 7B applied (with modifications) by 2007 c. 11, s. 87(2B)(2D) (as inserted (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 17 para. 9\(2\)](#); [S.I. 2018/227](#), art. 2(g))

## PART 2

### ARRESTS IN RESPECT OF OFFENCES COMMITTED IN SCOTLAND

- 11 (1) Section 44 of that Act (right to consultation with solicitor) is modified as follows.
- (2) Subsection (3) applies as if (instead of the provision made by that subsection) it provided for a decision to delay the exercise of the right under subsection (1) to be taken only by—
- (a) in the case of a delay during the period of 24 hours beginning with the time of the arrest under section 137A, an officer of the investigating force of at least the rank of inspector who has not been involved in the investigation in connection with which the arrest was made;
  - (b) in the case of a delay during any remaining period for which a person may be detained under section 137C, an officer of the investigating force of a rank above that of inspector who has not been involved in the investigation in connection with which the arrest was made.]

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)