



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART X

#### CROSS-BORDER ENFORCEMENT

##### [<sup>F1</sup>137A Additional cross-border powers of arrest etc: urgent cases

- (1) A constable of a police force in England and Wales may arrest a person in England and Wales without a warrant if—
  - (a) the constable has reasonable grounds for suspecting that the person has committed a specified offence in Scotland or in Northern Ireland, and
  - (b) the constable also has reasonable grounds for believing that it is necessary to arrest the person—
    - (i) to allow the prompt and effective investigation of the offence, or
    - (ii) to prevent any prosecution for the offence from being hindered by the disappearance of the person.
- (2) A constable of a police force in Scotland may arrest a person in Scotland without a warrant if—
  - (a) the constable has reasonable grounds for suspecting that the person has committed a specified offence in England and Wales or in Northern Ireland, and
  - (b) the constable is satisfied that it would not be in the interests of justice to delay the arrest either to enable a warrant for the person's arrest to be obtained and then executed under section 136 or to enable a power of arrest under section 137 to be exercised.
- (3) Without prejudice to the generality of subsection (2)(b), it would not be in the interests of justice to delay an arrest for a purpose mentioned in that subsection if the constable reasonably believes that, unless the person is arrested without delay, the person will

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obstruct the course of justice in any way, including by seeking to avoid arrest or interfering with witnesses or evidence.

- (4) A constable of a police force in Northern Ireland may arrest a person in Northern Ireland without a warrant if—
- (a) the constable has reasonable grounds for suspecting that the person has committed a specified offence in England and Wales or in Scotland, and
  - (b) the constable also has reasonable grounds for believing that it is necessary to arrest the person—
    - (i) to allow the prompt and effective investigation of the offence, or
    - (ii) to prevent any prosecution for the offence from being hindered by the disappearance of the person.
- (5) The power conferred by subsection (1) or (2) may be exercised by a constable appointed under section 24 of the Railways and Transport Safety Act 2003 in England and Wales or (as the case may be) in Scotland.
- (6) The following provisions apply in relation to an arrest under this section by a constable of a person suspected of having committed a specified offence in England and Wales or in Northern Ireland—
- (a) where the arrest is in England and Wales under subsection (1) or in Northern Ireland under subsection (4), the constable has the powers of entry and search conferred by section 137E;
  - (b) where the arrest is in Scotland under subsection (2), the constable has the same powers of entry and search for the purpose of the arrest as a constable of a police force in Scotland would have if there were reasonable grounds for suspecting that the offence had been committed in Scotland;
  - (c) the constable has the powers conferred by section 139 in relation to the arrested person;
  - (d) the constable may use reasonable force, if necessary, in arresting the person or in exercising the powers conferred by sections 137E and 139.
- (7) Where a constable is arresting under this section a person suspected of having committed a specified offence in Scotland, the constable has the same powers as a constable of a police force in Scotland would have if arresting the person for the offence in Scotland.
- (8) In this section—
- “constable of a police force”, in relation to Northern Ireland, means a member of the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve;
  - “specified offence” has the meaning given by section 137B.]

#### Textual Amendments

- F1** Ss. 137A-137D inserted (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 116\(1\)](#), [183\(1\)\(5\)\(e\)](#); [S.I. 2018/227](#), [art. 2\(f\)](#)

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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\(3\)](#)