



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART IV

#### POLICE POWERS

##### *Powers of police to take body samples*

#### **59 Extension of powers to search persons' mouths.**

- (1) In section 65 of the <sup>M1</sup>Police and Criminal Evidence Act 1984 (definitions for purposes of Part V: treatment of persons by police), after the definition of “intimate sample” there shall be inserted the following definition—

““intimate search” means a search which consists of the physical examination of a person’s body orifices other than the mouth;”.

- (2) In section 32 of that Act (powers of search upon arrest), in subsection (4), at the end, there shall be inserted “ but they do authorise a search of a person’s mouth ”.

#### **Marginal Citations**

**M1** 1984 c. 60.

**Changes to legislation:**

Criminal Justice and Public Order Act 1994, Section 59 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.

[View outstanding changes](#)

**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\(3\)](#)