



# Criminal Justice and Police Act 2001

## 2001 CHAPTER 16

### PART 3

#### POLICE AND CRIMINAL EVIDENCE AND THE TERRORISM ACT

##### *Codes of practice*

#### 76 Visual recording of interviews

(1) After section 60 of the 1984 Act (tape recording of interviews) there shall be inserted—

##### **“60A Visual recording of interviews**

- (1) The Secretary of State shall have power—
  - (a) to issue a code of practice for the visual recording of interviews held by police officers at police stations; and
  - (b) to make an order requiring the visual recording of interviews so held, and requiring the visual recording to be in accordance with the code for the time being in force under this section.
- (2) A requirement imposed by an order under this section may be imposed in relation to such cases or police stations in such areas, or both, as may be specified or described in the order.
- (3) An order under subsection (1) above shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) In this section—
  - (a) references to any interview are references to an interview of a person suspected of a criminal offence; and
  - (b) references to a visual recording include references to a visual recording in which an audio recording is comprised.”

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Cross Heading: Codes of practice. (See end of Document for details)*

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- (2) In section 67(2) of the 1984 Act (procedure for codes of practice under section 60 or 66), after “60” there shall be inserted “, 60A ”.

## **77 Codes of practice**

In section 67 of the 1984 Act (procedure in relation to a code of practice under section 60, 60A or 66), after subsection (7) there shall be inserted—

“(7A) Subject to subsection (7B) below, the Secretary of State may by order provide that a code of practice for the time being in force is to be treated as having effect with such modifications as may be set out in the order.

(7B) The effect of the modifications made by an order under subsection (7A) above must be confined to one or more of the following—

- (a) the effect of the code in relation to such area of England and Wales as may be specified in the order;
- (b) the effect of the code during such period, not exceeding two years, as may be so specified;
- (c) the effect of the order in relation to such offences or descriptions of offender as may be so specified.

(7C) An order under subsection (7A) above shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Police Act 2001,  
Cross Heading: Codes of practice.