



Serious Organised Crime and Police Act 2005

2005 CHAPTER 15

PART 3

POLICE POWERS ETC.

Custody officers

121 Custody officers: amendments to PACE

- (1) Section 36 of PACE (custody officers at police stations) is amended as provided in subsections (2) to (6).
- (2) For subsection (3) substitute—
 - “(3) No person may be appointed a custody officer unless—
 - (a) he is a police officer of at least the rank of sergeant; or
 - (b) he is a staff custody officer.”
- (3) In subsection (5), for “an officer” substitute “an individual”.
- (4) In subsection (7)—
 - (a) in paragraph (a)—
 - (i) after “by an officer” insert “or a staff custody officer”,
 - (ii) for “such an officer” substitute “such a person”,
 - (b) in paragraph (b), for “such officer” substitute “such person”.
- (5) In subsection (8)—
 - (a) after “in” insert “section 34 above or in”,
 - (b) for “an officer” substitute “a person”.
- (6) After subsection (10) add—

Status: This is the original version (as it was originally enacted).

“(11) In this section, “staff custody officer” means a person who has been designated as such under section 38 of the Police Reform Act 2002.”

(7) In section 39 of PACE (responsibilities in relation to persons detained)—

- (a) in subsection (6)(a), after “custody officer” insert “(or, if the custody officer is a staff custody officer, any police officer or any police employee)”,
- (b) after subsection (6) add—

“(7) In subsection (6) above—

“police employee” means a person employed under section 15 of the Police Act 1996;

“staff custody officer” has the same meaning as in the Police Reform Act 2002.”