



STATUTORY INSTRUMENTS.

S.I. No. 151 of 2023

CRIMINAL JUSTICE ACT 1984 (TREATMENT OF PERSONS IN
CUSTODY IN GARDA SÍOCHÁNA STATIONS) (AMENDMENT)
REGULATIONS 2023

S.I. No. 151 of 2023

CRIMINAL JUSTICE ACT 1984 (TREATMENT OF PERSONS IN
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REGULATIONS 2023

I, SIMON HARRIS, Minister for Justice, in exercise of the powers conferred on me by section 7 of the Criminal Justice Act 1984 (No. 22 of 1984), hereby make the following regulations with respect to which, pursuant to that section, a draft has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such House:

1. These Regulations may be cited as the Criminal Justice Act 1984 (Treatment of Persons in Custody in Garda Síochána Stations) (Amendment) Regulations 2023.

2. In these Regulations, “Regulations of 1987” means the Criminal Justice Act 1984 (Treatment of Persons in Custody in Garda Síochána Stations) Regulations 1987 (S.I. No. 119 of 1987).

3. Regulation 2(1) of the Regulations of 1987 is amended by the insertion of the following definitions:

“ ‘Act of 2014’ means the Competition and Consumer Protection Act 2014 (No. 29 of 2014);

‘authorised officer’ has the same meaning as it has in the Act of 2014;”.

4. Regulation 12 of the Regulations of 1987 is amended -

(a) by the substitution of the following paragraph for paragraph (1):

“(1) Before an arrested person is interviewed, the member conducting the interview shall -

(a) identify himself or herself and any other member present by name and rank to the arrested person, and

(b) where an authorised officer is present pursuant to section 37 of the Act of 2014, identify the officer by name and as such an authorised officer to the arrested person.”,

(b) by the substitution of the following paragraph for paragraph (3):

“(3) Not more than 2 persons, each being a member or, where applicable, one such person being a member and one such person being an authorised officer, shall question the arrested person at any one time.”,

- (c) by the insertion of the following paragraph after paragraph (3):
“(3A)At any one time during the interview -
- (a) subject to subparagraph (c), not more than 4 members shall be present,
 - (b) not more than 2 authorised officers shall be present, and
 - (c) where an authorised officer is present, not more than 4 persons who are authorised officers or members shall be present.”,
- (d) in paragraph (11)(a), by the substitution of “the names and ranks of the members, and the name of any authorised officer, present” for “the names and ranks of the members present”,
and
- (e) in paragraph (12)(a), by the substitution of “and the members and any authorised officer present” for “and the members present”.



GIVEN under my Official Seal,
31 March, 2023.

SIMON HARRIS,
Minister for Justice.

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