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30 AUG 2008

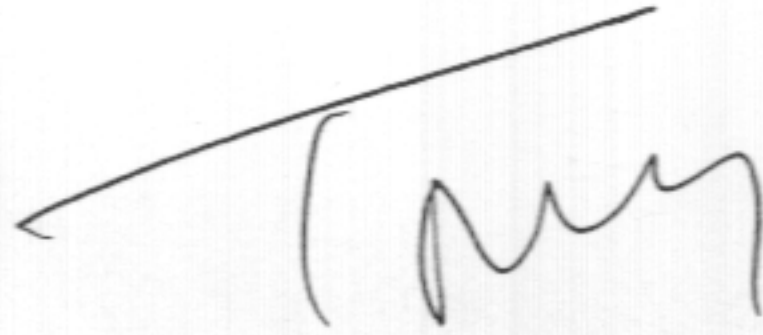
Our Reference: M15249/8

Thank you for your letter of 6 August to the Home Secretary on behalf of Mr Richard Taylor, of [REDACTED] Cambridge, [REDACTED] about the status of the PACE Codes. This letter also responds to Mr Taylor's earlier contact with the department.

The introduction and application of the PACE Codes of Practice are subject to the statutory provisions set out in Part VI of PACE. This requires that the contents of the Codes are subject to public consultation and Parliamentary approval before the Code or any revised Code comes into effect.

It is a matter for the chief officer to determine the operational practices within their force area are subject to the provisions of the law. Whilst the Codes deliberately do not have the status of statute, compliance with their content is recognised by the courts as critical in determining the admissibility of evidence. That is why we will be looking to amend PACE Code A when Parliament returns to enable pilot studies to be carried out in four force areas to provide a receipt in respect of encounters carried out under PACE Code A and to record only information on ethnicity. This is to take forward recommendation 24 of the Flanagan Review of Policing. The pilot sites will be in West Midlands, Surrey, Leicestershire and Staffordshire.

We launched a public consultation on PACE in 2007. The final element of consultation on the PACE Review will be launched shortly but it is clear from the responses and consultation taken place to date that there is strong support for retaining the existing statutory framework with supporting codes. This view is widely shared across the criminal justice system.

A handwritten signature in black ink, appearing to read 'Tony', with a long horizontal stroke extending to the left.

TONY MCNULTY