



Statutory Consultation – Revision of PACE Codes C and E

A three-week consultation began on 12th June 2020 with regard to temporary amendments to be made to PACE Codes of Practice C and E in response to the COVID-19 outbreak.

As the covering letter makes clear, the changes have the effect of modifying certain existing provisions of Codes C and E, which will apply *only* for the duration of the outbreak. They support continued operation of the Interview Protocol between the National Police Chiefs Council, Crown Prosecution Service, Law Society, the Criminal Law Solicitors' Association and the London Criminal Courts Solicitors' Association first published on 2 April 2020 and updated on 24 April 2020 with the overall purpose of limiting the number of cases that have to be abandoned because solicitors are unable to attend in person. They apply when suspects who have not been arrested are interviewed as well as to detained suspects.

Having carefully considered the proposed amendments The Bar Council and the Criminal Bar Association are of the view that there is no need for the Bar to take any position on this consultation. The practical changes it reflects have already been in operation for some time and, having consulted with a number of solicitors, we understand to be working acceptably well. The amendments provide sufficient protections to the rights and interests of interviewees, are clearly a proportionate response to the issue being faced, appear to have the

support of the solicitors profession, and importantly, they are only in place temporarily, to accommodate and reflect social distancing measures.

The Bar Council Law Reform Committee

The Criminal Bar Association

3rd July 2020