

Information pertaining to:

**ACPO Code of Practice for Operational Use of
Road Policing Enforcement Technology.**

To quote from The Home Office:

The ACPO guidance is only guidance. While it is our expectation that it will be followed, it is not a requirement in law that it must be followed. It will still be necessary to show that a measurement is in doubt due to the way the device was operated if that is to form the basis of a valid defence.

Further the ACPO code is no longer published or supplied. In a statement ACPO said:

In response to an enquiry I write in my capacity as Secretary to the ACPO Roads Policing Enforcement Technology committee and with a specific responsibility of maintaining the ACPO Codes of Practice for Operation Use of Road Policing Enforcement Technology.

In relation to this document the current position is as follows:

The ACPO code of practice for operational use of road policing enforcement technology, in its current form, was first implemented on 1st November 2002. In accordance with ACPO practice the document was reviewed on the 25th November 2004. It was due to be reviewed no later than 31st December 2005 at that time It was decided that a complete review and rewrite would be undertaken with comprehensive legal advice being taken on the content.

As a result of this review the document was withdrawn and no longer published by ACPO on their website or issued to police forces.

The current position is (that) the document is still being compiled and once this process is complete the new document will be published on the ACPO website and issued to police forces for their information and guidance. At this time the document has not been replaced with any other document.

It should be noted the document was guidance and was not legally binding.

As part of Home Office Type Approval (HOTA) all devices that are approved have a manufacturers operators manual which provides approved guidance to operators for the use of HOTA enforcement devices.