

CHAPTER 35

Offences relating to prostitution, obscenity and indecent photographs

Police powers p 995

Add the following material to the end of this paragraph.

The Police and Justice Act 2006 (P&JA 2006), s 39 and Sch 11 amended the PCA 1978 to permit forfeiture by the police of indecent photographs or pseudo-photographs of children and any property which it is not reasonably practicable to separate from them (such as a computer hard drive containing indecent photographs) irrespective of the power under which seizure is made. Formerly only material seized under a warrant issued under the 1978 Act could be forfeited. Forfeiture may take place without the involvement of a court unless the owner or some other person with an interest in the material objects. As a result a computer seized within an investigation into fraud and found to contain indecent photographs of children may be forfeited by the police unless there is an objection. [**Not yet in force**]