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STATUTORY INSTRUMENTS

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**2022 No. 462**

**PREVENTION AND  
SUPPRESSION OF TERRORISM**

**The Terrorism Prevention and Investigation  
Measures (Polygraph) Regulations 2022**

<i>Made</i>	- - - -	<i>19th April 2022</i>
<i>Laid before Parliament</i>		<i>21st April 2022</i>
<i>Coming into force</i>	- -	<i>12th May 2022</i>

The Secretary of State, in exercise of the powers conferred by paragraph 10ZA(2) of Schedule 1 to the Terrorism Prevention and Investigation Measures Act 2011<sup>(1)</sup>, makes the following Regulations:

**Citation, commencement, extent and interpretation**

1.—(1) These Regulations may be cited as the Terrorism Prevention and Investigation Measures (Polygraph) Regulations 2022 and come into force on 12th May 2022.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

(3) In these Regulations—

“the TPIM Act 2011” means the Terrorism Prevention and Investigation Measures Act 2011;

“comparison question” means a question asked for the purpose of establishing a baseline response, to which the relevant individual’s responses to the relevant questions will be compared;

“intelligence services” means the Security Service, the Secret Intelligence Service and Government Communications Headquarters;

“polygraph measure” means a measure imposed under paragraph 10ZA of Schedule 1 to the TPIM Act 2011;

“polygraph operator” means any person appointed to conduct polygraph examinations;

“polygraph provider” means a person who has contracted with the Secretary of State to provide polygraph services;

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(1) [2011 c.23](#). Paragraph 10ZA(2) of Schedule 1 were inserted by the Counter-Terrorism and Sentencing Act 2021 ([c.11](#)), section 38(1).

“polygraph supervisor” means a person appointed by the polygraph provider to review polygraph sessions;

“post-test interview” means any interview conducted by the polygraph operator with the relevant individual during a polygraph session, following the completion of any polygraph examination;

“pre-test interview” means any interview conducted by the polygraph operator with the relevant individual during a polygraph session, prior to the start of any polygraph examination;

“relevant individual” means a person to whom a polygraph measure applies, by virtue of section 2(1) and section 3 of the TPIM Act 2011;

“relevant question” means a question asked for the purpose of monitoring compliance with the relevant individual’s other terrorism prevention and investigation measures as defined in the TPIM Act 2011 or assessing whether variation of those other measures is necessary for purposes connected with preventing or restricting the individual’s involvement in terrorism-related activity.

### **Application**

2. A polygraph session carried out pursuant to a polygraph measure must comply with the requirements of these Regulations.

### **Qualifications of polygraph operators**

3.—(1) A polygraph operator will be suitably qualified if the polygraph operator has—

- (a) completed a polygraph training programme accredited by the American Polygraph Association, and
- (b) carried out a minimum of 20 polygraph examinations reviewed by a polygraph supervisor.

(2) A polygraph operator will cease to be suitably qualified unless they attend at least 30 hours of continuing development training in each two year period, starting from the date these Regulations come into force.

(3) The continuing development training referred to in paragraph (2) must cover new developments, techniques or methods in the field of polygraphy.

### **Polygraph operator independence**

4. A polygraph operator who is also a police officer, probation officer or therapist must not conduct a polygraph session on a relevant individual in whose management, supervision or treatment they have been involved.

### **Polygraph session requirements**

5.—(1) Prior to the start of each polygraph session, a police officer must explain to the relevant individual—

- (a) the requirements of and arrangements for the polygraph session, and
- (b) that anything disclosed during the session will be communicated to the Secretary of State and may be shared with the police or intelligence services.

(2) After explaining the matters in paragraph (1) above to the relevant individual, the police officer must provide their written confirmation to the polygraph operator that they have done so.

(3) The polygraph operator must attach the confirmation provided under paragraph (2) to the report of the polygraph session.