



# Terrorism Act 2000

## 2000 CHAPTER 11

### PART VII

#### NORTHERN IRELAND

##### *Scheduled offences*

#### **67 Limitation of power to grant bail**

- (1) This section applies to a person who—
  - (a) has attained the age of fourteen, and
  - (b) is charged with a scheduled offence which is neither being tried summarily nor certified by the Director of Public Prosecutions for Northern Ireland as suitable for summary trial.
- (2) Subject to subsections (6) and (7), a person to whom this section applies shall not be admitted to bail except—
  - (a) by a judge of the High Court or the Court of Appeal, or
  - (b) by the judge of the court of trial on adjourning the trial of a person charged with a scheduled offence.
- (3) A judge may, in his discretion, admit a person to whom this section applies to bail unless satisfied that there are substantial grounds for believing that the person, if released on bail (whether subject to conditions or not), would—
  - (a) fail to surrender to custody,
  - (b) commit an offence while on bail,
  - (c) interfere with a witness,
  - (d) otherwise obstruct or attempt to obstruct the course of justice, whether in relation to himself or another person, or
  - (e) fail to comply with conditions of release (if any).

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*Status: This is the original version (as it was originally enacted).*

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- (4) In exercising his discretion in relation to a person under subsection (3) a judge shall have regard to such of the following considerations as he considers relevant (as well as to any others which he considers relevant)—
- (a) the nature and seriousness of the offence with which the person is charged,
  - (b) the character, antecedents, associations and community ties of the person,
  - (c) the time which the person has already spent in custody and the time which he is likely to spend in custody if he is not admitted to bail, and
  - (d) the strength of the evidence of his having committed the offence.
- (5) Without prejudice to any other power to impose conditions on admission to bail, a judge admitting a person to bail under this section may impose such conditions as he considers—
- (a) likely to result in the person's appearance at the time and place required, or
  - (b) necessary in the interests of justice or for the prevention of crime.
- (6) Subsection (7) applies where a person to whom this section applies is a serving member of—
- (a) any of Her Majesty's forces, or
  - (b) the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve.
- (7) Where this subsection applies to a person he may be admitted to bail on condition that he is held in military or police custody if the person granting bail is satisfied that suitable arrangements have been made; and—
- (a) bail on that condition may be granted by a judge or a resident magistrate, and
  - (b) it shall be lawful for the person to be held in military or police custody in accordance with the conditions of his bail.