



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 2

#### PREVENTION, INVESTIGATION AND PROSECUTION OF CRIME

### CHAPTER 4

#### OTHER PROVISIONS

#### *Pre-charge bail*

#### **45 Pre-charge bail**

- (1) Schedule 4 contains amendments relating to pre-charge bail.
- (2) In that Schedule—
  - (a) Part 1 makes provision relating to the grant of pre-charge bail,
  - (b) Part 2 makes provision about the factors to be taken into account in determining whether to grant pre-charge bail,
  - (c) Part 3 makes provision requiring the views of alleged victims to be sought in relation to the grant or variation of pre-charge bail subject to conditions,
  - (d) Part 4 makes provision relating to limits on periods of pre-charge bail,
  - (e) Part 5 makes provision about the determination of a period of police detention following a person's arrest for breach of pre-charge bail, and
  - (f) Part 6 makes provision for guidance about pre-charge bail.
- (3) An amendment made by Schedule 4—
  - (a) applies in relation to a person arrested for an offence only if the person was arrested for the offence after the coming into force of that amendment,

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**Changes to legislation:** There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 45. (See end of Document for details)

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- (b) applies in relation to a person arrested under section 46A of the Police and Criminal Evidence Act 1984 (failure to answer to police bail etc) only if the person was arrested after the coming into force of that amendment for the offence for which the person was originally released on bail, and
- (c) applies in relation to a person arrested under section 24A of the Criminal Justice Act 2003 (failure to comply with conditional caution) only if the person was arrested after the coming into force of that amendment for the offence in respect of which the caution was given.

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**Commencement Information**

- I1** S. 45 not in force at Royal Assent, see **s. 208(1)**
- I2** S. 45 in force at 26.10.2022 for specified purposes by **S.I. 2022/1075, reg. 3(d)**
- I3** S. 45 in force at 28.10.2022 in so far as not already in force by **S.I. 2022/1075, reg. 4(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 45.