

Pre-charge bail guidance – have your say

Published on 5 August 2022

Public consultation on new guidance about releasing suspects on bail before they're charged

Consultation 2 mins read

We're seeking views on new pre-charge bail guidance in a public consultation, which closes on Friday 16 September.

Pre-charge bail is when officers can release a suspect on bail before they have charged them. Suspects can be released with or without conditions. For example, pre-charge bail can be used when police need to continue their investigation and gather more evidence before they're able to charge the suspect.

The new guidance aims to:

- explain changes in legislation due to the recent Police, Crime, Sentencing and Courts Act 2022
- support police officers and staff to understand these changes and apply them

Pre-charge bail has been used much less since the law changed in 2017. An increasing number of suspects have also been released under investigation. This prevents conditions from being placed on them and provides no timescales about when police must communicate with the suspect or victim. This has raised concerns that bail is not always being used when appropriate.

In early 2021, the Home Secretary announced new measures to reform pre-charge bail. The reforms form part of the Police, Crime, Sentencing and Courts Act, which became law on 28 April this year.

We are producing this new guidance to help officers and staff to understand and apply the changes coming from the new law.

Have your say

We welcome feedback on the new guidance from members of the public, people across policing and those who work across law enforcement.

To get involved:

- read the guidance document
- complete the online questionnaire before Friday 16 September

Consultation closed

Thank you to all those who provided feedback.

Related resources

- [Pre-charge bail – statutory guidance consultation \(pdf\) 668.61 KB](#)

Tags

Consultations Criminal justice