



Policing and Crime Act 2017

2017 CHAPTER 3

PART 4

POLICE POWERS

CHAPTER 1

PRE-CHARGE BAIL

Breach of pre-charge bail conditions relating to travel

68 Offence of breach of pre-charge bail conditions relating to travel

(1) This section applies where—

- (a) a person is arrested under section 24 of the Police and Criminal Evidence Act 1984, or under Article 26 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I.12)), in respect of an offence mentioned in section 41(1) or (2) of the Counter-Terrorism Act 2008,
- (b) the person is released without charge and on bail under Part 4 of the 1984 Act or (as the case may be) Part 5 of the 1989 Order, and
- (c) the release on bail is subject to a travel restriction condition.

(2) Each of the following is a travel restriction condition—

- (a) a condition that the person must not leave the United Kingdom,
- (b) a condition that the person must not enter any port, or one or more particular ports, in the United Kingdom,
- (c) a condition that the person must not go to a place in Northern Ireland that is within one mile of the border between Northern Ireland and the Republic of Ireland,
- (d) a condition that the person must surrender all of his or her travel documents or all of his or her travel documents that are of a particular kind,

Status: This is the original version (as it was originally enacted).

- (e) a condition that the person must not have any travel documents, or travel documents of a particular kind, in his or her possession (whether the documents relate to that person or to another person),
 - (f) a condition that the person must not obtain, or seek to obtain, any travel documents (whether relating to that person or to another person) or travel documents of a particular kind.
- (3) The person commits an offence if—
- (a) the person’s release on bail is subject to the travel restriction condition mentioned in subsection (2)(a) and he or she fails to comply with the condition, or
 - (b) the person’s release on bail is subject to a travel restriction condition mentioned in subsection (2)(b) to (f) and he or she fails, without reasonable excuse, to comply with the condition.
- (4) A person guilty of an offence under subsection (3) is liable—
- (a) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding 12 months (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 comes into force, 6 months) or to a fine, or to both;
 - (ii) in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 12 months or to a fine, or to both.
- (5) Where an offence under this section is committed by a person released without charge and on bail under Part 4 of the Police and Criminal Evidence Act 1984, the offence is to be treated as having been committed in England and Wales (whether or not the conduct constituting the offence took place there).
- (6) Where an offence under this section is committed by a person released without charge and on bail under Part 5 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I.12)), the offence is to be treated as having been committed in Northern Ireland (whether or not the conduct constituting the offence took place there).
- (7) Section 69 defines words used in subsection (2).

69 Offence of breach of pre-charge bail conditions relating to travel: interpretation

- (1) This section defines words used in section 68(2).
- (2) “Travel document” means anything that is or appears to be—
- (a) a passport, or
 - (b) a ticket or other document that permits a person to make a journey by any means from a place within the United Kingdom to a place outside the United Kingdom.
- (3) “Passport” means—
- (a) a United Kingdom passport (within the meaning of the Immigration Act 1971),

- (b) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom, or by or on behalf of an international organisation, or
 - (c) a document that can be used (in some or all circumstances) instead of a passport.
- (4) “Port” means—
- (a) an airport,
 - (b) a sea port,
 - (c) a hoverport,
 - (d) a heliport,
 - (e) a railway station where passenger trains depart for places outside the United Kingdom, or
 - (f) any other place at which a person is able, or attempting, to get on or off any craft, vessel or vehicle in connection with leaving the United Kingdom.