

Status: Point in time view as at 14/07/2008.

Changes to legislation: Bail Act 1976, Cross Heading: Exceptions to right to bail is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

PERSONS ENTITLED TO BAIL: SUPPLEMENTARY PROVISIONS

[^{F1}PART 1A

DEFENDANTS ACCUSED OR CONVICTED OF IMPRISONABLE OFFENCES TO WHICH PART 1 DOES NOT APPLY

Textual Amendments

- F1** Sch. 1 Pt. 1A inserted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 12 para. 6](#); [S.I. 2008/1586](#), art. 2(1), [Sch. 1 para. 27](#)

Exceptions to right to bail

- 2 The defendant need not be granted bail if—
- (a) it appears to the court that, having been previously granted bail in criminal proceedings, he has failed to surrender to custody in accordance with his obligations under the grant of bail; and
 - (b) the court believes, in view of that failure, that the defendant, if released on bail (whether subject to conditions or not) would fail to surrender to custody.
- 3 The defendant need not be granted bail if—
- (a) it appears to the court that the defendant was on bail in criminal proceedings on the date of the offence; and
 - (b) the court is satisfied that there are substantial grounds for believing that the defendant, if released on bail (whether subject to conditions or not) would commit an offence while on bail.
- 4 The defendant need not be granted bail if the court is satisfied that there are substantial grounds for believing that the defendant, if released on bail (whether subject to conditions or not), would commit an offence while on bail by engaging in conduct that would, or would be likely to, cause—
- (a) physical or mental injury to any person other than the defendant; or
 - (b) any person other than the defendant to fear physical or mental injury.
- 5 The defendant need not be granted bail if the court is satisfied that the defendant should be kept in custody for his own protection or, if he is a child or young person, for his own welfare.
- 6 The defendant need not be granted bail if he is in custody in pursuance of a sentence of a court or a sentence imposed by an officer under the Armed Forces Act 2006.

Status: Point in time view as at 14/07/2008.

Changes to legislation: Bail Act 1976, Cross Heading: Exceptions to right to bail is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 7 The defendant need not be granted bail if —
- (a) having been released on bail in or in connection with the proceedings for the offence, he has been arrested in pursuance of section 7 of this Act; and
 - (b) the court is satisfied that there are substantial grounds for believing that the defendant, if released on bail (whether subject to conditions or not) would fail to surrender to custody, commit an offence while on bail or interfere with witnesses or otherwise obstruct the course of justice (whether in relation to himself or any other person).
- 8 The defendant need not be granted bail where the court is satisfied that it has not been practicable to obtain sufficient information for the purpose of taking the decisions required by this Part of this Schedule for want of time since the institution of the proceedings against him.]

Status:

Point in time view as at 14/07/2008.

Changes to legislation:

Bail Act 1976, Cross Heading: Exceptions to right to bail is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.