



Policing and Crime Act 2017

2017 CHAPTER 3

PART 4

POLICE POWERS

CHAPTER 1

PRE-CHARGE BAIL

Release without bail or on bail

52 Arrest elsewhere than at a police station: release before charge

- (1) Section 30A of the Police and Criminal Evidence Act 1984 (release of a person arrested elsewhere than at police station) is amended as follows.
- (2) In the heading for “Bail” substitute “ Release of a person arrested ”.
- (3) In subsection (1)—
 - (a) omit “on bail”, and
 - (b) at the end insert “—
 - (a) without bail unless subsection (1A) applies, or
 - (b) on bail if subsection (1A) applies.”
- (4) After subsection (1) insert—

“(1A) This subsection applies if—

 - (a) the constable is satisfied that releasing the person on bail is necessary and proportionate in all the circumstances (having regard, in particular, to any conditions of bail which would be imposed), and
 - (b) a police officer of the rank of inspector or above authorises the release on bail (having considered any representations made by the person).”

Changes to legislation: Policing and Crime Act 2017, Section 52 is up to date with all changes known to be in force on or before 21 April 2024. 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) [View outstanding changes](#)

(5) In subsection (2) omit “on bail”.

Commencement Information

II [S. 52](#) in force for specified purposes at Royal Assent, see [s. 183](#)

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/1139, reg. 2 by [S.I. 2017/1162 reg. 2](#)