



# Criminal Justice Act 2003

## 2003 CHAPTER 44

### PART 2

#### BAIL

VALID FROM 05/04/2004

#### **13 Grant and conditions of bail**

- (1) In section 3(6) of the 1976 Act (which sets out cases where bail conditions may be imposed)—
  - (a) the words “to secure that” are omitted,
  - (b) the words “to secure that” are inserted at the beginning of each of paragraphs (a) to (e),
  - (c) after paragraph (c) there is inserted—
    - “(ca) for his own protection or, if he is a child or young person, for his own welfare or in his own interests,”
  - (d) for “or (c)” there is substituted “, (c) or (ca)”.
- (2) In section 3A(5) of the 1976 Act (no conditions may be imposed under section 3(4), (5), (6) or (7) unless necessary for certain purposes)—
  - (a) the words “for the purpose of preventing that person from” are omitted,
  - (b) the words “for the purpose of preventing that person from” are inserted at the beginning of each of paragraphs (a) to (c),
  - (c) after paragraph (c) there is inserted “or
    - (d) for that person’s own protection or, if he is a child or young person, for his own welfare or in his own interests.”
- (3) In paragraph 8(1) of Part 1 of Schedule 1 to the 1976 Act (no conditions may be imposed under section 3(4) to (7) unless necessary to do so for certain purposes) for the words from “that it is necessary to do so” onwards there is substituted “that it is necessary to do so—

*Status: Point in time view as at 29/01/2004. This version of this provision is not valid for this point in time.*

*Changes to legislation: Criminal Justice Act 2003, Section 13 is up to date with all changes known to be in force on or before 12 September 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)*

- (a) for the purpose of preventing the occurrence of any of the events mentioned in paragraph 2(1) of this Part of this Schedule, or
  - (b) for the defendant’s own protection or, if he is a child or young person, for his own welfare or in his own interests.”
- (4) For paragraph 5 of Part 2 of that Schedule (defendant need not be granted bail if having been released on bail he has been arrested in pursuance of section 7) there is substituted—

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 on bail or interfere with witnesses or otherwise obstruct the course of justice (whether in relation to himself or any other person).”

#### **Commencement Information**

**II** S. 13 wholly in force at 5.4.2004, see s. 336(3) and S.I. 2004/829, **art. 2(1)(2)** (subject to art. 2(3)-(6))

**Status:**

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