



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART II

#### BAIL

#### **29 Power for police to arrest for failure to answer to police bail**

- (1) Part IV of the Police and Criminal Evidence Act 1984 (detention of persons, including powers of police to grant bail) shall be amended as follows.
- (2) After section 46 there shall be inserted the following section—

#### **“46A Power of arrest for failure to answer to police bail**

- (1) A constable may arrest without a warrant any person who, having been released on bail under this Part of this Act subject to a duty to attend at a police station, fails to attend at that police station at the time appointed for him to do so.
- (2) A person who is arrested under this section shall be taken to the police station appointed as the place at which he is to surrender to custody as soon as practicable after the arrest.
- (3) For the purposes of—
  - (a) section 30 above (subject to the obligation in subsection (2) above), and
  - (b) section 31 above,an arrest under this section shall be treated as an arrest for an offence.”
- (3) In section 34 after subsection (6), there shall be inserted the following subsection—

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*Status: This is the original version (as it was originally enacted).*

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“(7) For the purposes of this Part of this Act a person who returns to a police station to answer to bail or is arrested under section 46A below shall be treated as arrested for an offence and the offence in connection with which he was granted bail shall be deemed to be that offence.”.

(4) In consequence of the foregoing amendments—

- (a) in section 37(1), paragraph (b) shall be omitted;
- (b) in sections 41(9), 42(11) and 43(19), at the end, there shall be inserted the words “; but this subsection does not prevent an arrest under section 46A below.”;
- (c) in section 47, subsection (5) shall be omitted;
- (d) in section 47(6), for the words “is detained under subsection (5) above” there shall be substituted the words “who has been granted bail and either has attended at the police station in accordance with the grant of bail or has been arrested under section 46A above is detained at a police station”; and
- (e) in section 47(7), at the end, there shall be inserted the words “; but this subsection does not apply to a person who is arrested under section 46A above or has attended a police station in accordance with the grant of bail (and who accordingly is deemed by section 34(7) above to have been arrested for an offence).”.

(5) This section applies whether the person released on bail was granted bail before or after the commencement of this section.