
STATUTORY INSTRUMENTS

2012 No. 1726

The Criminal Procedure Rules 2012

PART 19

BAIL AND CUSTODY TIME LIMITS

SECTION 1: GENERAL RULES

When this Part applies

- 19.1.**—(1) This Part applies where a magistrates' court or the Crown Court can—
- (a) grant or withhold bail, or impose or vary a condition of bail; and
 - (b) where bail has been withheld, extend a custody time limit.
- (2) In this Part, 'defendant' includes a person who has been granted bail by a police officer.

[Note. See in particular—

- (a) *the Bail Act 1976***(1)**;
- (b) *section 128 of the Magistrates' Courts Act 1980***(2)** (*general powers of magistrates' courts in relation to bail*);
- (c) *section 81 of the Senior Courts Act 1981***(3)** (*general powers of the Crown Court in relation to bail*);
- (d) *section 115 of the Coroners and Justice Act 2009***(4)** (*exclusive power of the Crown Court to grant bail to a defendant charged with murder*);
- (e) *section 22 of the Prosecution of Offences Act 1985***(5)** (*provision for custody time limits*);
and

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- (1)** 1976 c. 63.
 - (2)** 1980 c. 43; section 128 was amended by section 59 to, and paragraphs 2, 3 and 4 of Schedule 9 to, the Criminal Justice Act 1982 (c. 48), section 48 of the Police and Criminal Evidence Act 1984 (c. 60), section 170(1) of, and paragraphs 65 and 69 of Schedule 15 to, the Criminal Justice Act 1988 (c. 33), section 125(3) of, and paragraph 25 of Schedule 18 to, the Courts and Legal Services Act 1990 (c. 41), sections 49, 52 and 80 of, and Schedule 5 to, the Criminal Procedure and Investigations Act 1996 (c. 25) and paragraph 75 of Schedule 9 to the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), and is further amended by paragraph 51 of Schedule 3 and Part 4 of Schedule 37 to the Criminal Justice Act 2003 (c. 44) in relation to certain local justice areas (see S.I. 2012/1320) and otherwise with effect from a date to be appointed. It is modified by section 91(5) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), with effect from a date to be appointed.
 - (3)** 1981 c. 54; section 81(1) was amended by sections 29 and 60 of the Criminal Justice Act 1982 (c. 48), section 15 of, and paragraph 2 of Schedule 12 to, the Criminal Justice Act 1987 (c. 38), section 168 of, and paragraph 19 of Schedule 9 and paragraph 48 of Schedule 10 to, the Criminal Justice and Public Order Act 1994 (c. 33), section 119 of, and paragraph 48 of Schedule 8 and Schedule 10 to, the Crime and Disorder Act 1998 (c. 37), section 165 of, and paragraph 87 of Schedule 9 and Schedule 12 to, the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), paragraph 54 of Schedule 3 to the Criminal Justice Act 2003 (c. 44), articles 2 and 6 of S.I. 2004/1033 and section 177(1) of, and paragraph 76 of Schedule 21 to, the Coroners and Justice Act 2009 (c. 25). It is further amended by paragraph 54 of Schedule 3, paragraph 4 of Schedule 36 and Part 4 of Schedule 37, to the Criminal Justice Act 2003 (c. 44) in relation to certain local justice areas (see S.I. 2012/1320) and otherwise with effect from a date to be appointed.
 - (4)** 2009 c. 25.
 - (5)** 1985 c. 23; section 22 was amended by paragraph 104 of Schedule 15 to the Criminal Justice Act 1988 (c. 33), section 43 of the Crime and Disorder Act 1998 (c. 37), paragraph 36 of Schedule 11 to the Criminal Justice Act 1991 (c. 53), paragraph 27 of

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- (f) *the Prosecution of Offences (Custody Time Limits) Regulations 1987*(6) (maximum periods during which a defendant may be kept in custody pending trial).

A summary of the general entitlement to bail, and of the exceptions to that entitlement, is at the end of this Part.]

Schedule 9 to the Criminal Justice and Public Order Act 1994 (c. 33), section 71 of the Criminal Procedure and Investigations Act 1996 (c. 25), section 67(3) of the Access to Justice Act 1999 (c. 22), section 70 of, and paragraph 57 of Schedule 3 and paragraphs 49 and 51 of Schedule 36 to, the Criminal Justice Act 2003 (c. 44), and section 59 of, and paragraph 1 of Schedule 11 to, the Constitutional Reform Act 2005 (c. 4). It is further amended by paragraph 22 of Schedule 12 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), with effect from a date to be appointed. The amendments made by Schedules 3 and 36 to the Criminal Justice Act 2003 have effect in relation to certain cases and certain local justice areas (see S.I. 2012/1320) and otherwise from a date to be appointed.

- (6) S.I. 1987/299; amended by sections 71 and 80 of, and paragraph 8 of Schedule 5 to, the Criminal Procedure and Investigations Act 1996 (c. 25) and S.I. 1989/767, 1991/1515, 1995/555, 1999/2744, 2000/3284, 2012/1344.