



## 5. Bail

**Bail is one of several actions that the police can take after arresting you. It involves release from police custody to await a later appearance at court or a police station. Your case can be dropped while you're on bail.**

If you are bailed without charge, called '**pre-charge bail**' this means that you will have to appear at a police station at a later date. This is so that the police can look over the evidence and decide whether or not to charge you.

Being bailed and charged, called '**post-charge bail**' is where you have been charged and you must appear in court at a later date.

Both types can come with conditions attached which are things you must not do, for example: "You must not return to the borough of Newham" or "You must not go within 1km of an airport"

### **What should I do if I've been bailed?**

We recommend that you attend a police station interview with one of the recommended solicitors. They will provide this service free of charge. If you decide to go without a solicitor, you should answer 'No Comment' to all questions. This is easier than trying to decide for yourself which questions are best to answer as the police may trip you up. Most good solicitors will likely recommend that you do a 'no comment interview' anyway. If you're under 18, an appropriate adult should also be present, this is most likely to be a parent or guardian. The police can then take one of four actions:

1. You could be given **no further action** (NFA) which is when your case is dropped, this could also happen before the bail date in which case you don't have to attend
2. You could be **re-bailed** to a later date. If this happens, solicitors can try to challenge bail
3. You could be **charged**. This could be with a different offence than the one you were arrested for based on evidence or legal advice. If this happens, you will be given a court date that you have to appear at. This could also happen by post before your interview.
4. You could be offered a **caution**, a caution is an admission of responsibility which we strongly advise that you do not accept unless a recommended solicitor has explicitly advised you to do so.

**If you have been bailed to court**, check out our guide to the [post-charge legal process](#) for what you should do for your court date.

We have more information on [why the police use bail](#), and [what happens if you break bail conditions](#) in [this guide](#).