



## 2. Breaching bail conditions is not a crime

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**Breaking conditions imposed by the police when you are given bail is not a crime.**

If you break bail conditions you can be arrested, but then the police have to decide whether to:

- release you on bail again with the same conditions
- charge you with an offence, and then either bail you or take you to Court the next day.

The police aren't often interested in charging you, because if they do they will have to tell you what you're suspected of doing and what the evidence is against you.

Knowing this will help your defence by enabling you to gather information and witnesses to the incident. You'll also be able to demand disclosure of the police's own possible misconduct.

The police do not often arrest people for breach of bail. The only cases we know of recently are of people arrested for returning to ongoing protest sites – which underlines that that the police use this tactic to prevent and disrupt protest.

We suspect that the cops are not planning to arrest anyone for breaching bail, but instead hoping to put people off protesting.

**Failure to surrender, ie. not turning up on the date given on your bail sheet (whether to a court or to return to a police station) is a crime.**

Some people may be concerned that if they are taken to court for breaking bail, the court will hold them on remand. This is very rare. The courts take failure to surrender to the police far less seriously than skipping court and CPS guidelines state that failure to answer police bail should not be prosecuted at all where the substantive case is dropped.