



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART III

ARREST

^{F1} **Bail under section 30A: variation of conditions by police**

^{F2}30CA

- (1) Where a person released on bail under section 30A(1) is on bail subject to conditions—
 - (a) a relevant officer at the police station at which the person is required to attend,^{F3}
...
 - ^{F3}(b)may, at the request of the person but subject to subsection (2), vary the conditions.
- (2) On any subsequent request made in respect of the same grant of bail, subsection (1) confers power to vary the conditions of the bail only if the request is based on information that, in the case of the previous request or each previous request, was not available to the relevant officer considering that previous request when he was considering it.
- (3) Where conditions of bail granted to a person under section 30A(1) are varied under subsection (1)—
 - (a) paragraphs (a) to (d) of section 30A(3A) apply,
 - (b) requirements imposed by the conditions as so varied must be requirements that appear to the relevant officer varying the conditions to be necessary for any of the purposes mentioned in paragraphs (a) to (d) of section 30A(3B), and
 - (c) the relevant officer who varies the conditions must give the person notice in writing of the variation.
- (4) Power under subsection (1) to vary conditions is, subject to subsection (3)(a) and (b), power—
 - (a) to vary or rescind any of the conditions, and
 - (b) to impose further conditions.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 30CA is up to date with all changes known to be in force on or before 11 May 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) View outstanding changes

[If it is reasonably practicable to do so, the investigating officer must seek the views^{F4}(4A) of the alleged victim (if any) of the relevant offence on—

- (a) whether any of the conditions that are relevant conditions should be varied under subsection (1), and
- (b) if so, what variations should be made to those conditions.

(4B) The investigating officer must inform the relevant officer of any views obtained under subsection (4A).

(4C) If any of the conditions which are relevant conditions are varied under subsection (1), the investigating officer must, if it is reasonably practicable to do so, notify the alleged victim of the variations.

(4D) If the alleged victim of the relevant offence appears to the investigating officer to be vulnerable, subsections (4A) and (4C) apply as if references to the alleged victim of the offence were to a person appearing to the officer to represent the alleged victim.]

[^{F5}(5) In this section—

“investigating officer”, in relation to the relevant offence, means the constable or other person in charge of the investigation of the offence;

“relevant condition”, in relation to the relevant offence and an alleged victim of that offence, means a condition that relates to the safeguarding of the alleged victim;

“relevant offence” means the offence for which the person making the request under subsection (1) was under arrest when granted bail under section 30A(1);

“relevant officer”, in relation to a designated police station, means a custody officer but, in relation to any other police station—

- (a) means a constable who is not involved in the investigation of the relevant offence, if such a constable is readily available, and
- (b) if no such constable is readily available—
 - (i) means a constable other than the one who granted bail to the person, if such a constable is readily available, and
 - (ii) if no such constable is readily available, means the constable who granted bail.

(6) For the purposes of this section a person (“P”) is an alleged victim of an offence if—

- (a) an allegation has been made to a constable or other person involved in the investigation of the offence that P has suffered physical, mental or emotional harm, or economic loss, which was directly caused by the offence, and
- (b) P is an individual.

(7) For the purposes of this section an alleged victim of an offence is vulnerable if the alleged victim—

- (a) was aged under 18 at the time of the offence, or
- (b) may have difficulty understanding a communication from an investigating officer under this section, or communicating effectively in response to it, by reason of—
 - (i) a physical disability or disorder,
 - (ii) a mental disorder within the meaning of the Mental Health Act 1983,
 or

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(iii) a significant impairment of intelligence and social functioning.]]]

Textual Amendments

- F1** Ss. 30A-30D inserted (20.1.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), [ss. 4\(7\)](#), 336; S.I. 2004/81, [art. 2\(1\)\(2\)\(a\)](#)
- F2** Ss. 30CA, 30CB inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), [ss. 10, 53](#), [Sch. 6 para. 4](#); S.I. 2007/709, [art. 3\(i\)](#) (subject to [arts. 6, 7](#))
- F3** S. 30CA(1)(b) and word omitted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 62\(9\)](#), 183(1)(5)(e); S.I. 2017/399, [reg. 2](#), [Sch. para. 14](#) (with [reg. 5](#))
- F4** S. 30CA(4A)-(4D) inserted (28.10.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [s. 208\(1\)](#), [Sch. 4 para. 21\(2\)](#) (with [s. 45\(3\)](#)); S.I. 2022/1075, [reg. 4\(b\)](#)
- F5** S. 30CA(5)-(7) substituted for s. 30CA(5) (28.10.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [s. 208\(1\)](#), [Sch. 4 para. 21\(3\)](#) (with [s. 45\(3\)](#)); S.I. 2022/1075, [reg. 4\(b\)](#)

Modifications etc. (not altering text)

- C1** Ss. 30A-30D applied (with modifications) by [Criminal Justice Act 2003 \(c. 44\)](#), [s. 24B\(1\)-\(3\)](#) (as inserted (29.6.2007) by [Police and Justice Act 2006 \(c. 48\)](#), [ss. 18\(1\)](#), 53 (with [s. 18\(2\)](#)); S.I. 2007/1614, [art. 2\(e\)](#)) (as amended (28.10.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [s. 208\(1\)](#), [Sch. 4 para. 23](#) (with [s. 45\(3\)](#)); S.I. 2022/1075, [reg. 4\(b\)](#))

Changes to legislation:

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Changes and effects yet to be applied to :

- [s. 30A-30D](#) applied (with modifications) by [2022 c. 32 s. 107\(1\)-\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 17\(1\)\(cza\)](#) inserted by [2021 c. 17 s. 26\(9\)](#)
- [s. 47A\(3A\)](#) substituted by [2022 c. 35 Sch. 2 para. 7](#)
- [s. 61\(6BA\)](#) inserted by [2008 c. 28 s. 10\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of [2011 c. 23, ss. 29, 31\(2\), Sch. 7 para. 5\(3\)](#))
- [s. 63\(3D\)](#) inserted by [2008 c. 28 s. 10\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of [2011 c. 23, ss. 29, 31\(2\), Sch. 7 para. 5\(3\)](#))
- [s. 64\(1AA\)](#) inserted by [2008 c. 28 s. 10\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of [2011 c. 23, ss. 29, 31\(2\), Sch. 7 para. 5\(3\)](#))
- [s. 64A\(1B\)\(cb\)](#) inserted by [2022 c. 32 Sch. 11 para. 18\(a\)](#)
- [Sch. 1A para. 21A](#) added by [1995 c. 32, s. 8B\(1\)](#) (as inserted) by [2006 c. 12 Sch. 3 para. 13](#)