

Question 1: To what extent do you agree or disagree that the Police and Criminal Evidence Act should be amended to enable the police to release someone pending further investigation without bail in circumstances where bail is not considered to be necessary?

Response	Count
Strongly Agree	123
Agree	74
Neither agree or disagree	20
Disagree	33
Strongly Disagree	45
No Response	5
Unclear	0

Question 2: To what extent do you agree or disagree that it would be appropriate to change the definition of 'new evidence' (on the basis of which a fresh arrest could be made) to include material that was in the police's possession but which it was not reasonable to have expected them to analyse while the suspect was previously in detention or on bail?

Response	Count
Strongly Agree	121
Agree	60
Neither agree or disagree	31
Disagree	27
Strongly Disagree	52
No Response	9
Unclear	0

Question 3: Do you think there should be an absolute maximum period of pre-charge bail?

Response	Count
Yes	132
No	152
Don't Know	7
No Response	6
Unclear	3

Question 4: If yes, how long should that period be?

Response	Count
28 Days	65
3 Months	27
6 Months	16
12 Months	17
No Maximum	8
Other	11
No Response	156
Unclear	0

Question 4 (Other):

Sixteen respondents provided alternative responses to this question. The most common suggestion was a period of between three and six months. Other suggestions included a shorter period of between 28 days and six months, while some respondents raised problems they felt would arise should there be an absolute maximum period of bail.

Question 5: What do you think the benefits of introducing statutory limits for pre-charge bail durations would be?

Two hundred and forty seven respondents provided feedback to this question. The main benefit that people expected to see was a more focussed police investigation leading to speedier justice for the victim and accused. Other commonly raised themes benefits were that it would be a fairer system protecting the individuals' human rights and civil liberties, that there would be a reduction in the negative effects including emotional or mental trauma and financial implications for individuals on bail and their families. A number of respondents also said that they perceived no benefits from introducing a statutory limit for pre-charge bail.

Question 6: Should there be different periods for different types of case? If yes, which types?

Response	Count
There should not be different periods	141
All cases where there are exceptional reasons	75
Only cases involving international inquiries	14
Fraud	51
Tax evasion	35
Multiple Suspects	27
Historic Cases	24

Question 6 (Other):

Seventy eight respondents made alternative suggestions in response to this question. The most common response was that it the periods set for bail should be down to the specifics of an individual case, and set on a case by case basis. Other common themes included those who suggested that cases requiring forensic evidence (including digital forensics) and sexual offences should have different bail periods.

Question 7: To what extent do you agree or disagree that it should be possible to extend the period of pre-charge bail?

Response	Count
Strongly Agree	156
Agree	66
Neither agree or disagree	16
Disagree	14
Strongly Disagree	41
No Response	7
Unclear	0

Question 8: If pre-charge bail could be extended, who should be able to authorise that?

Response	Count
Senior police officer	122
Magistrate	26
Judge	64
Home Secretary	7
Other	72
No Response	9
Unclear	0

Question 8 (Other):

Of the 73 respondents who suggested alternative models of authorisation for bail extensions, the most common suggestion was an escalation of seniority through the options provided at question 8. Other common suggestions included inspector and sergeant level police officers.

Question 9: To what extent do you agree or disagree that the criteria set out above for the authorising of a bail extension are the right ones?

Response	Count
Strongly Agree	33
Agree	71
Neither agree or disagree	90
Disagree	55
Strongly Disagree	37
No Response	13
Unclear	1

Question 10: Are there other criteria that should be added or substituted?

Response	Count
Yes	80
No	32
Don't Know	1
No Response	187
Unclear	0

Question 10 (Yes: Please Specify):

A number of suggestions were made by the 82 respondents to this question. The most commonly raised suggestion was that matters outside of police control should be taken into account, for example Crown Prosecution Service timescales, forensic examinations (including digital) and international enquiries. Other common suggestions included consideration of the needs of victims of crime, including safeguarding requirements and where there are special interview requirements. A number of respondents also raised the need for further consideration to safeguard complex investigations, and introducing a proportionality and necessity test to releasing people on pre-charge bail.

Question 11: To what extent do you agree or disagree that the police should seek to agree memoranda of understanding for the provision of evidence from other public bodies rather than seeking production orders from the Crown Court?

Response	Count
Strongly agree that memoranda should be agreed	128
Agree that memoranda should be agreed	69
Don't know	51
Agree that police should seek production orders	17
Strongly agree that police should seek production orders	25
Unclear	2
No Response	8

Question 12: To what extent do you agree or disagree that individuals who are the subject of pre-charge bail should be able to challenge the duration as well as the conditions in the courts?

Response	Count
Strongly Agree	106
Agree	102

Neither agree or disagree	22
Disagree	32
Strongly Disagree	31
No Response	1
Unclear	6

Question 13: Do you think there should be statutory guidance to custody officers and magistrates as to the appropriateness of particular bail conditions? If yes, who should provide it?

Response	Count
College of Policing	32
Judicial College	39
Both Colleges, jointly	117
Other	36
No	62
Unclear	0
No Response	14

Question 13 (Other):

Of the 41 respondents who provided an alternative response, the most common themes were those who suggested that guidance was unnecessary or already existed, and those who suggested that any guidance should be general principles or best practice for setting bail and not an absolute list of conditions or situations in which pre-charge bail would be appropriate. Other suggestions included those who thought senior police officers should draft guidance, and those who suggested amending PACE guidance.

Question 14: To what extent do you agree or disagree that the extension of pre-charge bail should only be available in certain types of case, such as fraud or tax evasion, or those involving international inquiries, or should it be available in all cases where there are exceptional reasons for an extended investigation?

Response	Count
All cases where there are exceptional reasons	183
Only cases involving international inquiries	29
Fraud	46
Tax evasion	39
Multiple Suspects	21
Historic Cases	17
Other	75

Question 14 (Other):

Seventy five respondents made alternative suggestions in response to question 14. Of the suggestions made, the most common response was that extensions should be available for all cases and extensions should be made on a case by case basis, where necessary and justifiable. Where respondents made specific case type suggestions, the most common response was for sexual offences, including paedophilia and child abuse.

Question 15: To what extent do you agree or disagree that there are certain types or characteristics of cases where the 28 day/3 month limit (depending on the model adopted) should not apply?

Response	Count
Strongly Agree	109
Agree	49

Neither agree or disagree	33
Disagree	47
Strongly Disagree	52
No Response	7
Unclear	0

Question 16: What alternative arrangements do you think should apply in those types or characteristics of case?

Response	Count
Review process starts later	47
Reviews less frequent	17
Both	50
Same review process as other cases	152
No Response	34
Unclear	0

Question 17: To what extent do you agree or disagree that, where the reviewing officer or court agrees with the investigating officer that it could harm the interests of justice to disclose sensitive details of the investigation to the suspect, such as where it might enable the suspect to dispose of or tamper with evidence, it should be possible to withhold the details from the suspect and their legal representative?

Response	Count
Strongly Agree	149
Agree	58
Neither agree or disagree	14
Disagree	18
Strongly Disagree	46
No Response	14
Unclear	1

Question 18: If sensitive details were to be withheld from a suspect as to not jeopardise an investigation, what procedural safeguards should be incorporated to ensure the system operates fairly? *Please specify*

One hundred and seventy nine respondents suggested procedural safeguards; the most common suggestion was receiving magistrate or court approval for withholding information from a suspect, requiring senior police approval for withholding information, and recording in line with RIPA principles for disclosure post-charge. A number of respondents disagreed with withholding information from a suspect.

Question 19: To what extent do you agree or disagree that the Crown Court should take responsibility for certain types of case at an earlier point?

Response	Count
Strongly Agree	102
Agree	14
Neither agree or disagree	51
Disagree	95
Strongly Disagree	26
No Response	12
Unclear	0

Question 20: If the Crown Court were to take responsibility for certain types of case at an earlier point, when and what types or characteristics of case should these arrangements apply to? *Please specify*

There were 169 people who responded to this question. The most common theme was that cases which were indictable only offences, or where they would ordinarily be heard in the Crown Court should be heard by the Crown Court at an earlier stage. Other suggestions included serious offences, fraud and tax evasion, historical abuse and child abuse.

Question 21: To what extent do you agree or disagree that the introduction of these changes would be likely to influence the speed with which investigations are dealt with?

Response	Count
Strongly Agree	78
Agree	70
Neither agree or disagree	52
Disagree	44
Strongly Disagree	45
No Response	9
Unclear	2

Question 22: For your organisation, what would be the resource implications of each model set out above? *Please specify, including any views on the methodologies or assumptions used in the impact assessment appraisal*

Of the 119 people who responded to question 22, the most commonly raised issues were around the need for increased resources including greater staff numbers. A number of respondents raised the increase in time and cost that would result from the proposals, and also raised concern around safeguarding, and that the proposals would reduce the ability to investigate crime, lead to more cases being for “no further action” resulting in a potential lack of justice for victims. Other themes included an increased court workload, and increase in officer time spent at court.

Question 23: Do you have a preference between the two models?

Response	Count
Model 1	57
Model 2	78
No Response	165
Unclear	0

Question 23(Why):

Of the 127 respondents to this question, the most common reasons given were that the option chosen would reduce court time and expense, the option chosen would provide the necessary scrutiny and the option chosen was the most workable option. A number of respondents also stated that they did not want or agree with either option.

Respondents:

There were a total of 300 respondents to the consultation. Thirty one responses were received by email or post, and the remaining 261 responses were received via the online consultation response platform.

	Count
Police force	146
Police and Crime Commissioner (PCC)	1
Victims group	1
Voluntary sector / community organisation	3
Government department or agency	8
Academic institution or think tank	5
Representative body	6
None – I am responding as a member of the public	101
Prefer not to say	14
Other (please specify)	8
Unclear	0
No Response	7

Area	Count
East Midlands	13
East of England	13
Greater London	45
North East England	5
North West England	13
South East England	82
South West England	25
Wales	11
West Midlands	34
Yorkshire and the Humber	4
Prefer not to say	20
Other (please specify)	16
Unclear	0
No Response	19