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| RESPONSE TO APPLICATION FOR EXTENSION OF PRE-CHARGE BAIL*(Criminal Procedure Rules, r.14.19; sections 47ZF – 47ZJ, Police and Criminal Evidence Act 1984)***This form is for use ONLY on an application to extend pre-charge bail in the case of a person arrested for the suspected offence BEFORE 28th October 2022.** |
| *To be completed by the applicant before sending this form to the defendant:*Name of defendant (person on bail): Surname…………………First Name(s)……………………………Defendant’s date of birth: ……………………..URN: …………..…ASN: …………..…Date of the application to which this form relates: ……………………..………………………………Regional Court Hub: ………………………………………………………………………………………… While applications will be determined at the appropriate Regional Court Hub all applications, responses and queries (except for terrorism cases) must be directed and addressed to the Pre-Charge Bail Central Administrative Unit at:Cardiff and the Vale Magistrates’ Court, Fitzalan Place, Cardiff, South Wales, CF24 0RZEmail: HMCTSPre-ChargeBail@justice.gov.ukPhone number: 02920 678300Applications, responses and queries regarding terrorism cases should be directed to Westminster Magistrates’ Court, 181 Marylebone Road, London NW1 5BR, PCBWestminster@justice.gov.uk Phone number: 020 3126 3010**The time limit for your response is 5 business days**[[1]](#footnote-1) **after the day on which the application is served on you.** |
| Important information for the defendant (i.e. person on pre-charge bail)1. If you have a legal representative, show them this form at once. You are recommended to take legal advice. You may be eligible for legal aid.2. This form is to help you respond to an application to the court for authority to keep you on police bail during an investigation.3. There is a time limit for your response. See the notes underneath.4. You are still on pre-charge bail and you must continue to comply with any conditions of your bail unless told otherwise by the court or by the investigators (e.g. the police).Read all the notes in the boxes beneath before you fill in this form. |
| Why you have received this formYou have received this form because:* you were arrested for a suspected offence and then released on bail without being charged,
* the investigator wants more time to investigate, or more time for a decision to be made about charging you, and wants you to be kept on bail during that time, and
* the investigator is making an application to a magistrates’ court for authority to extend the period during which you can be kept on pre-charge bail.

With this form you will receive a copy of the investigator’s application to the court. That application explains for how long, and why, the investigator wants the court to authorise an extension of the period during which you can be kept on pre-charge bail.  |
| What to do if you object to the applicationIf you want to object to the investigator’s application you must do so in writing. Under the Criminal Procedure Rules, the time limit for your response is 5 business days1 after the day on which the application is served on you. Under the Rules, the day on which the application is served on you depends on how it was delivered or sent to you. For example, if it is handed to you then it is served on the day it is handed over. If it was posted then it will be served on you on the second business day after posting.The court can extend the time limit for your response, but you need to be aware that:* usually the court will make its decision without a court hearing and as soon as the time limit for your response has expired. To allow for the service of the application on you, that is likely to be 7 days after the date of the application form.
* if you want more time in which to reply fully, you should fill in as much of this form as you can, including the application for more time in which to object (see page 4 of this form), and make sure that the form reaches the court office no later than 7 days, at the latest, after the date of the application form.

What to do if you do not object to the applicationYou do not *have* to respond to the investigator’s application unless you want to object to it. However, you will be notified of the result more quickly if you use this form to acknowledge receipt of the application and to confirm your contact details, even if you do not object. |
| What to do if you want the court to change the conditions of your bailYou cannot use this form to ask the court to change the conditions of your pre-charge bail, but you can apply separately to the court for that. There is an application form under the Part 14 (Bail and custody time limits) heading at <https://www.gov.uk/guidance/criminal-procedure-rules-forms>. |
| **How to use this form**1. Make sure that the applicant has entered your name and date of birth, and the date of the application, correctly in the spaces at the top of the first page.2. Complete the contact, etc. information in the spaces on the next page.3. In boxes (1) to (4) beneath, write anything that you want the court to take into account when it considers the investigator’s application. For example, if you think that the application includes information that is wrong, explain what you think is wrong. If you think that there is no need for you to be on bail any longer, explain why. Or if you think that there is no need for the bail conditions that the applicant intends to impose on you, explain why.The box numbers in this form correspond with the boxes in the investigator’s application form. They are to help you make sure that you include everything that you want to tell the court. However, you do not have to write something in every box unless you want to do so. The court will take account of everything you write. If you use an electronic version of this form, the boxes will expand: see the forms at <https://www.gov.uk/guidance/criminal-procedure-rules-forms>. If you use a paper version and need more space, you may attach extra sheets.4. When you have finished filling in this form, sign and date it on the last page and send or deliver it to the Pre-Charge Bail Central Administrative Unit at the address on the first page. Remember: if you want to object, your objection must reach the Pre-Charge Bail Central Administrative Unit no later than **5 business days after the day on which the application is served on you,** unless the court extends that time limit. If you are objecting to the application, you must send a copy of this form to the applicant as well as to the Pre-Charge Bail Central Administrative Unit. |
| What will happen nextThe court may authorise an extension of your time on pre-charge bail if it is satisfied that:* + 1. further investigation is needed of any matter in connection with the offence or offences for which you were released on bail, or further time is needed for making a decision as to whether to charge you with that offence or those offences,
		2. the investigation into the offence or offences for which you were released on bail is being conducted diligently and expeditiously, or the decision as to whether to charge you with that offence or those offences is being made diligently and expeditiously, and
		3. your further release on bail is necessary and proportionate in all the circumstances having regard, in particular, to any conditions of bail imposed on you.

The court must make its decision without a hearing unless:* + 1. the effect of the application, if it succeeds, will be to extend your time on pre-charge bail to more than 12 months from the day after the day you were arrested and either you or the investigator asks for a hearing;
		2. the effect of the application, if it succeeds, will be to extend your time on pre-charge bail to less than 12 months from the day after the day you were arrested and the court considers that the interests of justice require a hearing;
		3. the effect of the application, if it succeeds, will be to withhold information from you and the court considers that the interests of justice require a hearing. In this case, however, the court is required to exclude you and any legal representative of yours from that hearing.

This means that usually the court will make its decision without arranging an appointment for you to attend. If you think that the court ought to arrange a hearing, explain why in the ‘Request for a court hearing’ box on page 4. |
| Contact, etc. information*Tick each box that applies. If your details in the application form are wrong, please give your contact details:*[ ]  I have a legal representative who is: ………………………………..……… (representative’s name) of …………………………………………………………………………………. (firm’s name and address).[ ]  My contact details in the application form are correct. *OR*[ ]  My contact details in the application form are wrong. The correct details are:My address: …………………………………………...…….…Postcode…………………………...…My email address: …………………………………………...….………………………………………My contact telephone number(s): …………………………………………………………………………..…[ ]  I object to the application for the reasons explained in boxes (1) to (4) beneath. *OR*[ ]  I do not object to the application. *If you tick this box you do not need to write anything in boxes (1) to (4) beneath, just sign and date this form at page 4 and send or deliver it to the court office.*  |
| (1) The investigation. *Box (12) in the application form summarises the investigation in connection with which you were arrested. Write here any comments on what it says in that box.* |
| (2) Your bail. *Boxes (13) & (14) in the application form give the date of your arrest and details of your pre-charge bail until now. Write here any comments on what it says in that box.* |
| (3) Reasons for the application. *Box (15) in the application form gives the reasons why the applicant thinks the court should authorise an extension of the period during which you can be kept on pre-charge bail. Write here any comments on what it says in that box.* |
| (4) Application for extension of pre-charge bail by 6 months. *Box (16) in the application form gives the reasons why the applicant thinks the extension period allowed by the court ought to be another 6 months instead of another 3 months. Write here any comments on what it says in that box.* |
| Request for a court hearing *(Tick the box that applies. Remember: usually the court must make its decision without a hearing.)*[ ]  If the application succeeds, I shall have been on pre-charge bail for more than 12 months and I want a hearing.[ ]  If the application succeeds, I shall have been on pre-charge bail for less than 12 months and I think it is in the interests of justice for there to be a hearing because: *Explain why.*[ ]  I do not want a court hearing.If the court arranges a hearing, I should prefer to attend [in person] [by video link] [by telephone] *(delete as applicable)*. |
| Application for more time in which to object. *If you want to object to the application the time limit for your response is 5 business days after the day on which the application is served on you, unless the court extends that time limit.*I need an extension of time for my response [ ]  No [ ]  YesIf yes, the reasons are: *Explain why.* |
| Other documents.I am sending (an)other document(s) with this form [ ]  No [ ]  YesIf yes, list it / them here: |
| Signed: ………………………...……………………………………….…………………………Name: …………………………………………………………………………..…...… [defendant] [representative]Date: …………………………. |
| Usually the court will make its decision within about 7 days of the date of the application form. If you have not been told the result within 2 weeks of that date, ask the investigator or ask at the court office. Remember: you are still on pre-charge bail and you must continue to comply with any conditions of your bail unless told otherwise by the court or by the investigator. |

1. ‘Business day’ means any day except Saturday, Sunday, Christmas Day, Boxing Day, Good Friday, Easter Monday or a bank holiday. [↑](#footnote-ref-1)