

Important update for people released on Bail.

The cops are planning to rebail you to January. For those bailed in the police station this will be done by letter. However if you were released on street bail you will be asked to return to a police station in October so the cops can take your fingerprints and photographs and then be rebailed to January.

If you are not sure which type of bail you are on contact us or your lawyer ASAP.

GBC/LDMG did not realise until recently that there was anyone on street bail (it turns out there was 45) and the law is different from bail given at the police station.

The key difference is that failure to surrender to street bail is not a criminal offence but you can be arrested and brought to the police station and the situation then would be the same legally as if you'd been taken to the police station after your original arrest.

Frankly we think this is taking the piss.

It's bad enough that the police take personal information from peaceful protestors after arresting them on the flimsiest of pretexts but to tell people to waste their time and money to travel to the cop shop for the privilege is outrageous. Legally we think this should be challenged as it reverses the whole burden of proof in the criminal justice system- the police are supposed to catch people who've committed crimes not catch people and then find crimes to fit them up with. If you are arrested for failure to return to street bail let us know as we can help with transport home.

Below is our updated short guide to bail covering these differences and the email from the OIC setting out the police plan.

Do contact us if you want to talk about the potential consequences of this. We will have someone at Freedom Bookshop (84b Whitechapel High St E1 7QX) Fridays and Saturdays 12-6 if you want to talk in person.

GBC/LDMG Advice on bail-

What happens if you Break Bail Conditions?

While not answering bail is a crime breaking bail conditions is not a criminal offence, you can still end up in trouble unless you follow these simple instruction or check www.cps.gov.uk/legal/a_to_c/bail/#a07 for full details.

The first question is:

Have you been charged with a Crime? (were given a sheet saying what you're charged with and when to go to Court)

If the answer is **No** then the cops can arrest you if they reasonably suspect you've broken the conditions, but have to charge you or release you on the same conditions. Any time spent in custody after being booked in counts towards the total you can be held for (normally 24 hours).
= YOU CAN'T BE SENT TO JAIL

If the answer is **Yes** then the cops can arrest you if they reasonably suspect that you've broken the conditions or they reasonably believe you are likely to break them. They must then bring you before Magistrates within 24 hours not including Sundays, Good Friday Christmas or Boxing Day. The Magistrates then decide whether to give you bail and if so can change, leave the same or drop the conditions. But they cannot remand you in custody if there is no real prospect that you will get a custodial sentence.

So if you are on bail for a non imprisonable offence
= YOU CAN'T BE SENT TO JAIL

If you are on bail for a imprisonable offence
= YOU MIGHT BE SENT TO JAIL

Does it matter if the conditions are imposed by a Court or the Police?

YES! Although there is legally no difference breaking police or court bail conditions post charge Magistrates take breaking conditions they impose more seriously than conditions imposed by the police and it's the Magistrates who decide if you get remanded and try your case.

Pissing off the Cops = Cross Cops

Pissing off the Judge = Unhappy You

Street Bail

Street Bail is different. Street bail is where you are given bail without being taken to the police station but are given a written condition to attend a police station at a later date.

Conditions can be set as part of street bail in the same way as pre charge police station bail but you cannot be required to give or pledge money (a security or surety) as a condition of your release.

It is NOT an offence to fail to answer street bail

You can be arrested if you don't attend the police station. This is just like a first arrest for the offence.

Name and Address

You do not have to give your name and address when arrested. It can be an offence of obstructing a constable in the course of their duty to give a false name or address

Appendix: email to Hodge Jones & Allen

Dear Raj

The following is to keep you informed of progress in this investigation as you represent a number of people involved.

We anticipate that all the anti-EDL suspects will be rebailed by post to mid January 2014.

However, this excludes the 45 suspects who were dealt with by street bail on 7th September.

These street bail suspects will have effective bail dates in October where their fingerprints and photographs (custody imaging) will be taken. These 45 will not be interviewed in October; they will be rebailed to mid January like the remainder, for interview.

The lengthy bail date is required as other public order offences (further to breach of s12/14) have been captured on CCTV and evidenced by officers and we believe many of those arrested for breaching the section 12/14 conditions may be responsible. The reason for the long bail date is to allow us to properly examine the vast amount of CCTV we have recovered from this incident and also read through over 3000 other documents in order to put relevant footage and accompanying evidence to suspects in interview. We estimate there are 600 hours of footage and we have 300 people on bail. An extra team of officers have been drafted in to process this evidence in order to be as expeditious as possible. A long bail date has not been considered lightly.

I hope this explains things with sufficient clarity with regards the bail position.