



## **WEST YORKSHIRE POLICE AND CRIME PANEL**

**16<sup>th</sup> December 2016**

### **West Yorkshire Police use of pre-charge bail**

#### Background

This report has been brought to the Police and Crime Panel in order to provide an update as to the current situation regarding West Yorkshire Police's use of pre-charge bail. Historically West Yorkshire Police have had a higher number of people on bail than many other forces and as a result have monitored this closely over the past few years. The PCC provided the last report to the Panel in April 2016, which detailed the progress made between June 2014 and March 2016 showing that the use of bail had reduced by 18% in this period from 3,734 to 3,037. In the last update the police reported that the Home Office had intended to make significant changes to the Bail Act which was expected to receive Royal Assent by November 2016, for this reason the PCC agreed to provide this update which encapsulates West Yorkshire Police's progress and the current situation with regards to the legislative changes.

#### Content of force report

The force provides detail as to the current situation in West Yorkshire:

- West Yorkshire Police continue to actively monitor the use of Pre-Charge Bail.
- The number of individuals currently on bail has reduced in the last 18 months from 3734 to 3127, a reduction of 16%.
- There has been a slight increase of 3 % over the last 6 months from 3037 to 3127 bails.
- The increase in the numbers of individuals on bail can be explained to some extent by the increase across the Force in wanted individuals. Districts are working hard to address this issue.

It provides an update on the national changes to the legislation:

- There was a full briefing for the Police and courts service on the 16th November when the anticipated final version of the Bill was made available by the Home Office. The final version has not yet received Royal Assent but this is expected in January 2017 with Implementation still on course for the 3rd April 2017.
- The key changes to the Bail Act and the Police and Criminal Evidence Act are covered in the report but in short relate to the removal of assumption that a person will be released on bail, changes to breach of pre-charge bail, definitional changes to "evidence" and changes to bail timelines.

The report also provides information on West Yorkshire Police activity and efforts to reduce the numbers of people on bail, a summary of which is below:

- New guidelines have now been given to Districts to ensure the bail situation is managed.
- A new force wide policy has been put in place for bailing detainees "The Use and Management of Pre Charge Bail."
- Investigations and timescales for submission and receipt of forensic exhibits (including High Tech) are being reviewed.

#### Activities of the PCC

The PCC has regularly monitored the use of bail by West Yorkshire Police and has asked the Chief Constable to provide reports to the Community Outcome Meetings. Many of the challenges faced are reflected nationally for example delays linked to obtaining high tech information. In order to support West Yorkshire Police in improving overcoming these challenges, the PCC has brought together other PCCs from the region to discuss options around better collaboration and partnership working with regards to external organisations and our own capabilities. In order to provide further support and scrutiny, the PCC is now represented on the West Yorkshire Police Gold Bail group meeting which sits monthly to oversee the management and use of bail within the police service. The OPCC's Audit team are also starting to work with the force on a new project to review their work on bails before, and during, the move to new protocols in April. This will not only help to inform us on performance internally but will also put us in a better position to respond to any national inspections or queries.

#### Next steps

The PCC will continue to monitor the use of bail within West Yorkshire and will challenge and support the Chief Constable where necessary. The OPCC will continue to sit on the WYP Gold group and along with the OPCC audit team will support the PCC in this function. Once the changes have been implemented (intended to be by April 2017), a further report can be provided.