August 2025



LSCP factsheet:

understanding bail conditions & requesting variance of bail

What are bail conditions?

When someone is suspected and arrested for a crime, they might be released on police bail and made subject to bail conditions. This applies to both adults and children. These conditions are authorised by the Custody Officer to ensure:

- They attend the police station when required,
- They don't interfere with victims, witnesses or the investigation, and
- They don't commit further offences whilst on bail.

Common police bail conditions include: reporting regularly to a police station, not contacting victims or witnesses, not going to specific places, and/or living at a particular address. Conditions could also sometimes include a requirement for the suspect not to have any unsupervised contact with children.

How long can someone be on police bail?

The initial period of police bail can be up to 3 months. After that, police can internally authorise extensions of police bail for up to 9 months whilst the investigation continues and the suspect has not yet been charged with a crime. After that, approval is needed by the Criminal Court to extend pre-charge bail beyond 9 months.

Can bail conditions be varied?

Sometimes safeguarding practitioners might be concerned that bail conditions are adversely impacting or causing harm to children. For example, if a parent suspected of physically harming their child is not allowed to live at home this could impact on the care given to children. Or if a child is not allowed to go to a specific place, they might not be able to attend their school. In these situations, safeguarding practitioners might want to request a variance of bail.

How can an involved professional request a variance of bail?

There are 4 stages to requesting a variation of bail.

Step 1

Understand the current bail conditions. Make sure you know:

- What the current bail conditions are
- Why the suspect or professional network wants them changed
- Whether the suspect has legal representation (if so, their legal representative should be asked to make the request).

Step 2

Obtain details. Make sure you are clear about what you want to change, why you believe the change is reasonable and whether there is any new information, evidence or change in circumstances that supports the request.



August 2025



Prepare key information. Make sure you know:

- The suspect's full name, date of birth and case/custody reference number
- Details of current bail conditions
- What conditions you are asking to be changed
- Clear reasons for the request
- Any supporting documents (letter from employer, doctor's note, care plan, social worker letter, etc).



Contact the Officer in Charge of the investigation (OIC). The preferred method of communication is via email. If you are unsure of their email the bail paperwork contains the OIC's name and warrant number, which will give you an email address using this format [warrant number]@met.police.uk. So, for example, if the OIC's warrant number is P123456, their email address would be p123456@met.police.uk

- Be polite, professional and clear in your contact
- State who you are and in what professional capacity you are acting
- Explain who you are representing and why
- Provide details of all of the information collected at step 3.

What happens after a variation of bail is requested?

The police might agree to the change and arrange for the condition to be amended OR the police might refuse, they are not obligated to agree. If police do *not* approve, the suspect may need to apply to the court via their solicitor.

Important things to note:

- You must always be clear with the suspect that you are not giving legal advice.
- If the suspect has been given bail conditions by the Courts, only the courts can consider a change of bail conditions and not the police.

Further guidance

- Home Office pre-charge bail condition statutory guidance
- Crown Prosecution Service information on bail