



**Supreme Court**  
of New South Wales

**APPLYING FOR BAIL TO THE SUPREME COURT**

Have you been charged with a crime and refused bail by police?

Did you know you can apply for bail to the Court hearing your charges? This is usually the Local Court. The waiting time for a bail hearing will usually be a lot shorter than the waiting time for a bail hearing in the Supreme Court. If you apply for bail to the Court hearing your charges and are refused bail, you can apply to the Supreme Court for bail.

**IF YOU WANT A LAWYER TO APPEAR FOR YOU IN A BAIL APPLICATION TO THE SUPREME COURT:**

Ask your lawyer who is helping you on your charges if they will appear for you in a bail application. **You should not assume that because a lawyer is already helping you with your charges that they will also appear for you in a bail application.**

If you do not have a private lawyer, you can apply to Legal Aid NSW or the Aboriginal Legal Service (if you are an Aboriginal person) for a lawyer. Wait and see what they tell you about giving you a lawyer.

**IF YOU HAVE A LAWYER WHO AGREES TO APPEAR FOR YOU IN A BAIL APPLICATION TO THE SUPREME COURT:**

**Your lawyer must fill out a Supreme Court Bail Application form and send it to the Supreme Court.** A hearing date for your bail application will be given and your lawyer will appear before a Judge and make the application for you to be released on bail. You will appear at the hearing on an AVL link.

**IF YOU HAVE BEEN REFUSED A LAWYER (OR IF YOU DO NOT WANT A LAWYER) TO APPEAR FOR YOU IN A BAIL APPLICATION TO THE SUPREME COURT:**

**You must fill out a Supreme Court Bail Application form.** You only need to complete **Part 1** (pages 2, 3 and 4). Also **sign and date Part 3** (page 5).

In the form **you must confirm** that:

- you do not want a lawyer to appear for you in a bail application to the Supreme Court and that you will represent yourself; **or**
- you have asked for a lawyer to appear for you and have been refused a lawyer.

Send your form to the **Supreme Court Bails**

**Registry by:**

- email: **sc.bails@justice.nsw.gov.au**;
- post: **Supreme Court of NSW, GPO Box 3, Sydney NSW 2001, Australia**; or
- asking a friend or family member to file it with the Court in person.

The Registry will send a copy of your application form to the Director of Public Prosecutions, and you will be given a date to speak to the Registrar by AVL at a call over. The Registrar will give you a date for the hearing of your bail application before a Judge, if your application is ready.

The Director of Public Prosecutions will give you their response to your bail application prior to the date of your bail hearing.

Before filing your application you must sort out where you will live if granted bail and have organised all sureties who will be depositing money or property to be forfeited in the event that you fail to appear at a future court hearing, if you are released on bail. They must agree to this and confirm this in writing.

If you are thinking about applying to a rehabilitation (rehab) centre to support your bail application, the gaol can give you rehab centre phone details. You will need to:

- phone a rehab centre to check if you are suitable for a phone assessment, then confirm a time and date for the assessment;
- work with a SAPO to facilitate your confirmed phone assessment;
- place the rehab centre's number on your Offender Telephone Service to make weekly contact, if you are placed on the rehab centre's waitlist;
- talk to a SAPO if you cannot contact the rehab.

On the day of your bail hearing you will appear before a Judge on an AVL link. You can tell the Judge anything you wish to say in support of your bail application. The Director of Public Prosecutions will also tell the Judge what they wish to say, and the Judge will make a decision.

If at any time before your bail hearing you decide you do not want to go ahead with your bail application, you can contact the Court to let the Court know.

### BAIL APPLICATIONS TO THE SUPREME COURT BY INMATES WITHOUT A LAWYER

