

Supreme Court of Victoria bail application checklist



September 2024

This checklist outlines the kinds of information and material expected to be included in support of Supreme Court bail applications. It has been created to address issues with inadequate information and supporting evidence in Supreme Court bail applications. The court notes it is the responsibility of the applicant's solicitor to gather relevant material to file in support of any application for bail they intend to make. Applications which are not prepared in accordance with the Practice Note may have listings delayed so that further material can be obtained and filed.

- Remand date stated
- Stated if the applicant is in custody for the first time
- Next listing dates, nature of next listing dates, and court locations stated and accurate for all remand and outstanding bail or summons matters
- If there are co-accused and parity is relied upon, the relevant information that is relied on to support parity is outlined (e.g. co-accused bail/remand status, criminal history, role in allegations, personal circumstances relevant to bail)
- Any proposed accommodation outlined
- Proposed bail conditions outlined
- Special vulnerabilities outlined and current supporting material provided
 - First Nations
 - Child or young adult/youth
 - Elderly
 - Disability
 - Mental health condition
 - Physical health condition
 - Other
- Treatment or support services outlined and current supporting material provided or arranged
 - CISP
 - First Nations referral
 - Youth Justice report
 - Disability support services
 - Mental health support services
 - AOD support services
 - Housing support services

- Other
- The following are exhibited to the affidavit in support:
 - Charges and summaries for all matters (remand and outstanding bail and summons)
 - Relevant lower court bail orders (bail refusals and bail revocations)
 - Relevant bail orders and/or undertakings for bail matters
 - Family violence intervention orders
 - Personal safety intervention orders
 - Criminal history
- If a bail guarantee is relied on:
 - Details of the proposed bail guarantee (including amount and form) and bail guarantor (including relationship to the applicant) stated in filed materials or communicated to the Criminal Registry

Acknowledgement

Proceeding name:

Proceeding number:

I have had regard to this checklist and confirm that

[delete the inapplicable bullet point]

- all matters outlined above (as applicable to my client's application) are included in the filed material for this application **or**
- I intend to file a supplementary affidavit in support to address outstanding matters within 2 business days, unless a longer period is set by the Criminal Registry

Name of solicitor:

Date: