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MEDIA RELEASE

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MORE IMPROVEMENTS TO BAIL LAWS

The tough bail laws introduced in January are working and set to be further strengthened as the NSW Government adopts all of the recommendations of the final report of the Hatzistergos Review, Attorney General Gabrielle Upton announced today.

Ms Upton said the final report of the Hatzistergos Review confirms community safety is front and centre of the State's Bail Act.

"Our tough bail laws are working as the Government intends and the community expects. Implementing all of these additional recommendations will further strengthen and streamline the bail laws," Ms Upton said.

Last year, Judge Hatzistergos was commissioned to undertake a 12-month independent review of the *Bail Act 2013*. The NSW Government accepted all 12 of the interim report's recommendations including introducing a "show cause" test for serious offences which requires the accused to justify why they should be given bail. The changes came into operation on 28 January 2015.

The key recommendations made by Judge Hatzistergos in his final report include;

- Giving bail authorities greater scope to revoke or refuse bail when an accused has breached their bail conditions;
- Allowing bail authorities to take into account an accused's history of compliance with home detention orders, intensive correction orders and suspended sentences when considering bail;
- Ensuring any previous warnings given by police or a court are taken into account by a bail authority when reconsidering bail following a breach of conditions;
- Enabling redetermination of bail when a person is found guilty, taking into account whether prison time is likely; and
- Giving police greater flexibility to make a bail determination where a person is under arrest and is receiving medical treatment in hospital.

Other recommendations include providing judicial officers with additional assistance and guidance when assessing risk in bail decisions involving domestic violence. It is proposed solicitors and barristers will also receive additional training on changes to the Bail Act.

Ms Upton also released the report by the NSW Sentencing Council. The NSW Government has adopted the Council's recommendation to expand the definition of "serious personal violence offence", for the purposes of the "show cause" category to include similar offences in jurisdictions outside of NSW.

The NSW Government will introduce a Bill to implement the amendments recommended by the Hatzistergos Review and NSW Sentencing Council shortly.

Ms Upton added, "Importantly, we will continue to keep a close eye on the bail laws and will act if necessary to ensure they are operating appropriately. I would also like to thank His Honour Judge Hatzistergos for carrying out this thorough review."

The Bail Act Monitoring Group will continue to monitor the operation of the Bail Act 2013 and the implementation of the final Hatzistergos Review recommendations. The NSW Sentencing Council also has an ongoing role in monitoring the 'show cause' categories.

The reports of the Hatzistergos Review can be found at [Hatzistergos reviews](#).

The NSW Sentencing Council Report can be found at [Sentencing Council](#).