



Brad Hazzard MP

Attorney General Minister for Justice

MEDIA RELEASE

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BAIL ACT REFORMS PASS PARLIAMENT

Changes to the Bail Act that will help safeguard the community and make it harder for serious offenders to get bail have been passed by the NSW Parliament today.

“The NSW Government has acted swiftly to ensure those who pose an unacceptable risk to the community are refused bail,” Mr Hazzard said.

The changes to the Bail Act will also place a new onus on those accused of the most serious offences to “show cause” why they should not be detained.

“Even if the accused is able to show cause, they will still be remanded in custody if bail authorities determine there is an unacceptable risk they will interfere with witnesses, endanger the safety of the community, commit a serious offence or fail to attend court,” Mr Hazzard said.

The show cause provision will apply to people accused of a serious offence that:

- carries a life sentence;
- was committed while on bail or parole;
- involves the sexual assault of a child;
- involves the use of a firearm;
- involves the manufacture or supply of commercial quantities of a prohibited drug; or
- involves a repeat act of serious personal violence.

The tougher Bail Act requires new risk factors to be included in bail assessments, including whether the accused has links to organised crime and their conduct towards the victim after the offence.

The victims’ views on their safety will also be taken into account in serious offences.

“The NSW Government has recognised the need for victim’s families to be heard,” Mr Hazzard said.

“We’ve moved to change the Bail Act so that the views of victim’s families, regarding the danger presented by the accused, can be considered in bail applications for serious offences, including those which have a serious impact on the victim or the community.”

In other changes, defendants refused bail under the old Bail Act cannot make a further application on the basis that there is a new Bail Act.

The NSW Government has accepted all recommendations made by former Attorney General John Hatzistergos following his independent review of the new Bail Act.

“Community safety should always be front and centre, which is why the Government has been quick to adopt Mr Hatzistergos’ common sense recommendations to strengthen the Bail Act,” Mr Hazzard said.