



# **MEDIA RELEASE**

**Hon. John Hatzistergos MLC  
Attorney General  
Minister for Industrial Relations**

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## **STUDY FINDS MORE JUVENILES HELD ON REMAND**

Laws limiting frivolous repeat bail applications and increased policing of bail have led to more juvenile defendants being held on remand, Attorney General John Hatzistergos said today.

A NSW Bureau of Crime Statistics and Research report shows that increased bail enforcement by police and new laws to stop 'judge shopping' led to a 32 per cent increase in the number of juveniles held on remand between 2007 and 2008.

"In 2007, the Government introduced laws to prevent accused persons from 'judge shopping' through the making of repeat and frivolous applications for bail", said Mr Hatzistergos.

"The move followed instances of repeat applications for bail based on unchanged factors, which were causing distress to victims and wasting court time.

"Under these provisions, while an accused person may still seek a review or appeal of a bail decision in a higher court, they are prohibited from making a repeat application in the same court unless new facts or circumstances arise.

"I am advised that a narrow interpretation of these provisions may have led some legal practitioners to delay making bail applications in an attempt to ensure that their client's 'one chance' at bail was not wasted.

"This has meant some offenders are spending longer periods of time on remand prior to making an application for bail.

"In other cases where an accused person has initially been refused bail, fresh applications are not being made even where there are new facts or circumstances".

Mr Hatzistergos said the Government would amend the Bail Act to clarify that an accused person can make a fresh application for bail if new facts or circumstances arise, or if there is new information to present to the Court.

"In the case of juveniles, new information permitting a fresh application would include a report from the Department of Juvenile Justice or the Department of Community Services", he said

"But if an accused person has no new facts, circumstances or information to present to the Court, then making a repeat application for bail is simply a waste of the Court's time and can cause unnecessary anguish and stress to victims".

Mr Hatzistergos said the Government was also developing alternatives for dealing with juveniles who come into contact with the law.

"The Department of Juvenile Justice has been allocated \$7.3 million over four years to develop a bail hotline for an after-hours bail placement service, which would provide alternatives to remanding young people in custody", he said.