

Annexure E: Bail instructions

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BAIL INSTRUCTIONS

FILE NO/FILE MANAGER/EXT NO.		
FULL NAME OF CLIENT	SURNAME:	FIRST NAMES:
DATE AND PLACE OF BIRTH	DATE OF BIRTH:	PLACE OF BIRTH:
LOCATION and LENGTH OF TIME IN CUSTODY		
USUAL PLACE OF RESIDENCE		
IF BORN OVERSEAS, WHERE, AND YEAR OF ARRIVAL IN AUSTRALIA		
FIRST LANGUAGE	interpreter required? Yes/No	Is an
CHARGES ON WHICH BAIL IS SOUGHT		
NEXT COURT APPEARANCE		Date: Place:
LAST COURT APPEARANCE		Date: Place:
HAS BAIL BEEN REFUSED? If so, when, where, and by whom? REASON FOR REFUSAL		
DOES CLIENT WANT TO VARY PRESENT BAIL CONDITIONS?	Details	

Name and station of arresting officer (This is essential information)	
Was Record of Interview taken?	
Admissions made?	
Co-accused? Does co-accused have bail on these charges?	
<p><i>The instructions I have given in this form are true and correct to the best of my knowledge. Should Legal Aid Queensland consider making an application for bail on my behalf, I have no objection to certain aspects of my case (as they relate to bail) being discussed with any person considered necessary, except as otherwise indicated on this form. I authorise Legal Aid Queensland to obtain a copy of my criminal history.</i></p>	
Signed by Applicant:	Date:
Bail Instructions Taken By	

<i>Summary of Police allegations</i>	
Any other outstanding charges? If so, give details, including (a) nature of charges (b) at which courts are they listed (c) next court date for each matter (d) when bail is granted on each matter (whether bail granted on those charges).	
<p>SHOW CAUSE: The client is in a <i>show cause</i> situation if they are charged with any of the following:</p> <ul style="list-style-type: none"> (a) an indictable offence which is alleged to have been committed whilst they were on bail for, or at large after having been charged with, another indictable offence; (b) an indictable offence during which it is alleged that they used or threatened to use a firearm, offensive weapon or explosive substance; or (c) an offence against the Bail Act. <p>Is the client in a <i>show cause</i> situation? If so, give details (in particular breaches of bail):</p>	

SURETY

<p>A surety is a person who guarantees the client's appearance in Court by either providing a cash deposit or promising to pay the amount set if the client fails to appear. The surety should either have money in the bank or own real estate (preferably unencumbered). Property such as cars, caravans, and furniture are not acceptable. The surety must be at least 18 years old and have no convictions for indictable offences. The interviewer should not contact the surety. Does the Client have any surety or sureties?</p>	
Name:	Relationship to Client:

Address:	Phone No.:
Nature of Surety:	Amount Available:

CRIMINAL HISTORY (Particularly any branches of the *Bail Act*, e.g. failing to appear)

ACCOMMODATION AND RESIDENTIAL HISTORY

At what address would the client live if released on bail?	
With whom, and what is their relationship to the client?	
Contact telephone number for that address and/or a number at which any of the residents can be contacted	
Most convenient police station for reporting.	
Details of residential history, giving addresses and length of residence at each place, for at least TWO years, going back in time from when client taken into custody.	

EMPLOYMENT HISTORY Give details of any job the client could go to if released on bail.

Contact name and phone number for potential employer	
Indicate whether the employer knows, or may be advised of, client's charges.	
Give details of previous employment over last TWO years, including name of employer, type of work, length of employment.	

Give details of unemployment benefits received over the last 2 years	

OTHER INFORMATION

Does the client have a passport? If so, where is it presently located?	
Has the client travelled overseas (including NZ) in the past 10 years? If so, where?	
If the client is young, the court may require a curfew. Is the client prepared to accept this?	
Is the client able to swear on the Bible to the truth of their affidavit? If not, would they prefer to affirm, or do they have other requirements?	
Does client have a drug or alcohol problem?	
Has client attended rehab or would they be willing for attendance at rehab to form part of the conditions of bail? Give details of any previous rehab undertaken incl. when where & name of Dr. If willing to undertake rehab on release, give details	

Any other information which may be relevant, i.e. medical or family difficulties. Indicate whether client is willing to attend school or undergo drug/alcohol rehabilitation. Remember, it is better to give too much information, rather than not enough.

PLEASE ENSURE THAT THE CLIENT AND THE INTERVIEWING OFFICER SIGN AT THE BOTTOM OF PAGE 1.

FILE MANAGER

Have bench charge sheets been ordered/obtained?	
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Has a criminal history been ordered/obtained?	
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SAMPLE