



Conditional Monitored Bail – Fact sheet

Bail covers a range of options that may be imposed by the court on defendants who do not need to be remanded in custody.

Some may require additional conditions to be monitored by the Department's Community Corrections branch. This is known as Conditional Monitored Bail. The conditions may include living where directed, a curfew, and/or receiving drug treatment.

Defendants considered needing restriction on where they live may be assessed for bail with a condition of home detention.

Bail with a condition of home detention

The defendant must live at their own home or that of a sponsor during the bail period. They must wear an electronic monitoring bracelet and can only leave the home with the permission of their supervising community corrections officer.

Permission may be given to attend employment, medical and Centrelink appointments.

Eligibility

The court must be satisfied with a defendant's suitability for home detention. A report from a community corrections officer must be submitted and the court must be satisfied that, unless home detention was imposed, the defendant would not be able to be released on bail.

If applying for home detention, the defendant must have a suitable place to live. The report from a community corrections officer might include the views of people at the nominated home, indicating they understand and accept the home detention conditions.

Conditions

Standard conditions apply to home detention. A defendant must not commit any offence, must allow community corrections officers into their home or place of work and must comply with every reasonable direction of a community corrections officer. Special conditions, such as a ban on drinking alcohol, may also be imposed.

Breaching conditions

Bail may be cancelled if any of the conditions are breached. In the case of home detention, the manager of the Community Corrections Centre being attended can cancel bail and issue a warrant for the defendant's arrest and return to court. The court may renew bail or remand the defendant in custody to appear again at a later date.