

14 February 2017

**MEDIA RELEASE – FOR IMMEDIATE RELEASE**

The President of the ACT Bar Association, Mr Ken Archer, has come out in opposition to the call for a review of the ACT Bail Act made by Jeremy Hanson, the Shadow Attorney-General. "The events in Victoria are tragic. However, until the facts are known little will be gained from a review of bail law in the Territory. The Bail Act in the ACT has been amended nearly 50 times since it was enacted and is continually under review."

"People in the ACT might be reassured to know the following facts:

- The rate at which people are refused bail is higher in the ACT than in Victoria and a third of those held at the Alexander Maconochie Centre are on remand;
- The Bail Act in the ACT makes stronger provision than Victoria for the refusal of bail if a person has committed offences whilst on bail. In the ACT if a person has committed a serious offence whilst on bail, bail can only be granted in special or exceptional circumstances;
- The ACT does not have a bail justices system that is used in Victoria. In the ACT if the police refuse bail, only a court can grant bail. If a person is arrested out of hours and are refused bail by the police, they are kept in custody until the next sitting of (usually) the Magistrates Court;
- Information systems in the ACT are sound and the AFP has the ability to place all relevant information before a Magistrate or Judge deciding issues of bail;
- The DPP can seek an immediate review of bail decisions and their application for review has the effect of keeping the person in custody."

"It is too early to say if the Victorian events have relevance for the ACT. Former Supreme Court Judge and DPP Paul Coghlan, has been asked to review the Victorian Bail Act. He is to report by 3 April 2017. The Government will obviously analyse that review to see if it has relevance to the ACT. To call for a review now serves only to cause unease when our bail laws already provide very strong protections for the community."

**ENDS**

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