



Local Court of New South Wales
The Chief Magistrate of the Local Court

Statement on the Bail Division

The Local Court of New South Wales is the busiest Court in Australia. Last year, the Local Court completed 39,841 first instance adult bail applications and detention applications.

All NSW adult bail applications and detention applications have been centralised to a single location on weekends since 23 November 2024. The reason for this change arose from tragic circumstances resulting in the death of a young woman. This resulted in the Parliament passing legislation requiring Magistrates preside over all bail decisions. The amending legislation was passed in the NSW Legislative Council without amendment or the requirement for a division.

Apart from the Weekend Bail Courts, the Supreme Court has centralised bail applications via audio-visual link (AVL) for many years for applicants from all over NSW, including from regional and remote NSW. The importance of timely access to bail Magistrates across the State has resulted in the development of a specialist division of the Local Court dedicated to determining first appearance bail applications. The Bail Division consists of Judicial Officers with extensive experience in the criminal law, both in legal practice and on the Bench. Each of these Magistrates have experience of living and working in regional communities including those in the Far West, Northern Rivers, Western NSW and South-western NSW.

The Courts in the Bail Division will be divided into regions. Each Magistrate will be appointed to the Bail Division for at least 6 months. Recognising the need to become familiar with local areas, each Magistrate will remain in each region for the duration of their appointment to the Bail Division. The Bail Division will allow greater access to justice, as first instance bail applications will be prioritised in a dedicated Court instead of being dealt with within the busy lists of the various rural and regional Local Courts.

The use of AVL will also allow defendants to appear from locations closer to the place they are being detained, lessening the need to be physically transported, so they are able to appear before the Court more quickly. AVL still allows for full and proper legal representation and the appearance of anybody with an interest in the proceedings including family members. A 2021 report prepared by the Bureau of Crime Statistics and Research, *Estimating the impact of audio-visual link on being granted bail*, concluded: "Overall, we find no evidence that appearing via AVL causes defendants to be less likely to be granted bail." Further, the report noted that there is "no meaningful differences in the probability of being granted bail for defendants appearing via AVL compared with those appearing in person before the Court."

The Bail Division of the Local Court of New South Wales provides the people of NSW with a system that ensures timely access to justice which is both principled and consistent.

23 June 2025

Judge Michael Allen
Chief Magistrate
Local Court of New South Wales