

SUPREME COURT OF QUEENSLAND
PRACTICE DIRECTION NUMBER 6 OF 2025

BAIL APPLICATIONS

1. The purpose of this Practice Direction is to outline the practice and procedure to be adopted for the preparation, filing and hearing of applications under the *Bail Act 1980* (Qld) in the Supreme Court of Queensland at Brisbane.
2. It commences on 19 November 2025 and applies to all applications made under the Act to the Supreme Court of Queensland and filed in the Brisbane registry on or after that date. To remove doubt, this includes applications to grant, vary or revoke bail as well as applications to review bail decisions under ss 19B or 19C and applications by a surety for discharge under s 23.
3. It is to be read with the relevant provisions of the Act and chapter 6 (rr 25-27) of the *Criminal Practice Rules 1999* (Qld).

The Bail List

4. Each sitting week a judge will be allocated to review and hear applications to which this Practice Direction applies (the **Bail List**).
5. The Chief Justice in consultation with the Senior Judge Administrator will assign a judge to manage the Bail List (the **Bail List Judge**). The Bail List Judge is responsible for supervising the listing and case management of applications on the Bail List.
6. The Bail List is managed at the Registry level by the **Bail List Manager**, who may be contacted at SCBails@justice.qld.gov.au. The Bail List Manager is responsible for the listing of applications and such other case management tasks as may be directed from time to time by the Bail List Judge.

Philosophy

7. The purpose of this Practice Direction is to provide for the timely and efficient disposition of applications made under the Act.
8. One of the ways in which this is achieved is that, once an application has been accepted for filing, it will not be allocated court time for a substantive hearing until it has first been reviewed by a judge. The purpose of this initial review hearing is to ensure all necessary evidence and other material has been provided by the applicant, to manage the provision of evidence and other material in response, to refine the issues for hearing and to make such directions as are necessary to enable the application to be heard and determined efficiently.
9. Practitioners should in any event act responsibly before engaging the processes of the Court. For example, where an application for bail has been refused in the Magistrates

Court but, subsequently, the applicant asserts there has been a material change in circumstances, it is expected that any new application will be made in the Magistrates Court.

10. In accordance with the obligations of the parties to a proceeding under r 5 of the *Uniform Civil Procedure Rules 1999* (Qld), each party to an application made under the Act impliedly undertakes to the Court and to the other parties to proceed in an expeditious way.

Applications

11. Applications must be in the form prescribed for the purpose for which they are filed. The prescribed forms may be downloaded from the “Forms” page on the Queensland Courts website – <https://www.courts.qld.gov.au/about/forms> – where they are grouped under the heading “Criminal Practice Rules 1999” as follows:
 - (a) Form 1 – General form of application;
 - (b) Form 2 – Application for bail in the Supreme Court;
 - (c) Form 3 – Application for bail in the court before which the indictment was presented;
 - (d) Form 4 – Application for variation of bail;
 - (e) Form 5 – Application by surety for discharge;
 - (f) Form 6 – Application for revocation (or variation) of bail by prosecutor.

Supporting material and information

12. When filing an application, any supporting affidavits or other material must also be filed along with an outline of argument and, when legally represented, a draft Order.
13. Where the applicant seeks bail, the supporting affidavits must depose to the facts:
 - (a) to be relied on in submissions, including the personal circumstances of the applicant; and
 - (b) relevant to any proposed conditions of bail, and the applicant’s willingness to comply with such conditions, including:
 - (i) the availability of a place to live and the address of that place;
 - (ii) the consent of any person(s) who owns or lives at that place to the applicant living there if granted bail;
 - (iii) whether a rehabilitation facility is available (if relevant); and

- (iv) whether a surety is proposed (and if so, an affidavit from the proposed surety must also be filed along with any supporting documents to prove, for example, the surety's net asset position).
14. The applicant's outline of argument must:
 - (a) list the material the applicant reads on the application;
 - (b) summarise the applicant's argument, by reference to the relevant considerations for the Court under the Act;
 - (c) identify any relevant cases relied upon; and
 - (d) usually not exceed six (6) pages.
 15. Where the applicant seeks bail, the draft Order must where possible adopt the wording of the standard bail conditions. They may be downloaded from the "Practitioners" page on the Queensland Courts website – <https://www.courts.qld.gov.au/court-users/practitioners>. In addition, the applicant must ensure that:
 - (a) all charges in respect of which bail is sought are accurately identified, having regard to the Verdict and Judgment Record;¹ and
 - (b) all other relevant details (including as to the next appearance date and location, the proposed accommodation address, reporting police station, inclusion of any authorities for doctors or psychologists, passport surrender and surety conditions) are included and accurate.
 16. Where the applicant seeks bail and does not have legal representation, and the respondent does not oppose the application, the respondent must where possible prepare a draft Order in time for the review hearing.
 17. At the time of filing, the applicant must also provide the Registry with an estimate of the time required for the substantive hearing. Any such time estimate must be made responsibly and allow time for the judge to read the material during the hearing, hear submissions from the parties to the application, and deliver *ex tempore* reasons.

Listing

18. Subject only to paragraph 20, once accepted for filing, all applications will be listed by the Registry for a review hearing on the next available day in the Bail List which is not less than five clear business days after the filing of the application. Where the applicant is not legally represented and is in custody, the Registry must also list the application for review at a time when there is a video link available to facilitate the applicant's appearance at the review hearing, and then arrange for that to occur.

¹ Charge details for an applicant can be obtained via the [Criminal Case Lookup](#) on the Queensland Courts' website. To request a copy of the Verdict and Judgment Record (VJR), submit a request via the [Search and Copy Documents](#) portal on the Queensland [Government](#) website or contact the relevant court directly.

19. On the filing of an application to which the Director of Public Prosecutions (Cth) or the Director of Public Prosecutions (Qld) is a respondent, the Registry will notify the Bail List Manager who will in turn send an email to the respondent (at brregistry@cdpp.gov.au for the CDPP or DPP.SCBail@justice.qld.gov.au for the State DPP) in which notification is given of the filing of the application and the date it has been listed for a review hearing.
20. If an applicant seeks an earlier review hearing than has been allocated because the application is attended by real urgency, the applicant (or their legal representative) must make that request by email to the Bail List Manager (with the respondent copied in). Any such request must be accompanied by the following information:
 - (a) the reason why the application is urgent;
 - (b) details of any vulnerability of the applicant, such as advanced or young age, or serious ill health;
 - (c) if known, the respondent's attitude to the proposed application; and
 - (d) any other factor which warrants expedited consideration by the Court.
21. Upon receipt of any such email, the Bail List Manager will provide it to the Bail List Judge to decide whether to bring the listing of the review hearing forward, after which the Bail List Manager will advise the parties accordingly.

Service

22. After filing:
 - (a) where the applicant is legally represented, the applicant must serve the application, any supporting affidavits and other material and the outline of argument on the respondent. The applicant should endeavour to do so on the same day but, in any case, not later than two (2) clear business days before the day of the review hearing; and
 - (b) where the applicant is not legally represented, the Registry will email a scanned copy of the application, any supporting affidavits and other material and the outline of argument to the respondent.

Response to the application

23. After service, the respondent must as soon as reasonably practicable file and serve on the applicant or their legal representative any affidavits or other material relied on in response to the application along with an outline of argument. Where possible, this should be done as and when the affidavits and material in response come to hand but, in any case, before the review hearing.
24. The respondent's outline of argument must:
 - (a) list the material the respondent reads on the application and the Court Document number of each filed document;

- (b) provide a brief overview of the facts alleged to constitute the offences for which bail is sought;
- (c) summarise the respondent's argument, by reference to the relevant considerations for the Court under the Act;
- (d) identify any relevant cases relied upon; and
- (e) usually not exceed six (6) pages.

Review Hearings

- 25. Review hearings will be conducted by the judge who each sitting week is allocated to review and hear applications to which this Practice Direction applies and will usually be listed on the afternoon of a sitting day commencing from 2.30pm. Where possible, the Bail List Manager will attend all review hearings.
- 26. No more than ten (10) minutes will be allocated by the Registry for a review hearing.
- 27. In addition to applicants who are not legally represented and are in custody, the parties or their legal representatives may be given leave by the Bail List Manager to appear on a review hearing by audio or audio-visual link.
- 28. At the review hearing:
 - (a) the judge will ascertain whether the application can be finally disposed of that day without the need for a further hearing and, in any such case where time permits, make Orders accordingly;
 - (b) the judge will seek the assistance of the parties to:
 - (i) identify the real issues for determination at the substantive hearing;
 - (ii) ascertain when the parties will be ready to proceed to that hearing; and
 - (iii) determine the time required for that hearing;
 - (c) the judge may direct the parties to confer for the purpose of streamlining the substantive hearing;
 - (d) in consultation with the Bail List Manager, the judge will set the application down for a substantive hearing or, if necessary, a further review; and
 - (e) otherwise, the judge will make such directions as are necessary to facilitate the substantive hearing of the application including as to the filing and service of affidavits, supplementary outlines of argument or the provision of revised draft Orders.
- 29. Where an Order is made at a review hearing which finally disposes of an application, the Bail List Manager will notify the Queensland Police Service of the outcome by email

sent to OMCourtResults@police.qld.gov.au (and provide a scanned copy of the bail order if the application is granted).

Substantive Hearings

30. Substantive hearings will be conducted by the judge who each sitting week is allocated to review and hear applications to which this Practice Direction applies and will usually be listed on the morning of a sitting day.
31. Where the applicant is not legally represented and is in custody, unless the Court otherwise orders, the Registry will arrange for the applicant to appear at the substantive hearing by video-link.
32. Where an application for bail is granted by the judge, the complete, and accurate, Order pronounced by the judge must be provided to the Registry by no later than 2 pm, to enable the applicant to be processed and released on that day.
33. If the Order is not pronounced until after 2 pm, or there are errors or discrepancies found by the Registry in the Order which require correction, the judge may order that the grant of bail not take effect until the following day.
34. When an Order is made at a substantive hearing which finally disposes of an application, the Bail List Manager will notify the Queensland Police Service of the outcome by email sent to OMCourtResults@police.qld.gov.au (and provide a scanned copy of the bail order if the application is granted).

Interpreters

35. Where a party requires the assistance of an interpreter, the Bail List Manager and the other party to the application must be notified at the first opportunity after which the party should proceed in accordance with Practice Direction 6 of 2014 with such necessary adaptations as may be approved by the Bail List Judge (including the abridgment of time).



H Bowskill
Chief Justice
19 November 2025