

# Strengthening bail in the NT

Further amendments to the *Bail Act 1982* will provide an additional test for bail applications that places community safety as the number one priority.

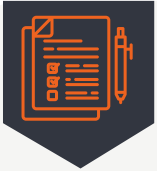
For all serious and prescribed offences, the court will only be able to consider bail if all of the criteria is met, and the judge has a **high degree of confidence** that there is no risk to the community.

These changes will apply to both adults and young people.

## How the amendments to the *Bail Act 1982* will be applied:



Person is charged with a serious or prescribed offence and there is a presumption against bail.



The offender must satisfy the decision maker (police or courts) that they should get bail.

The paramount consideration for the decision maker is whether the offender poses a risk to the community.



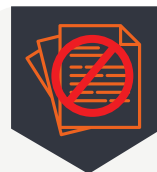
The decision maker must not grant bail unless they are satisfied to a **high degree of confidence** that the offender will not reoffend whilst on bail or endanger the safety of the community.



If the decision maker is satisfied to a high degree of confidence and grants bail, then the court **MUST** impose conditions to mitigate that risk. For certain categories of offences this includes mandatory electronic monitoring or residential conditions under Declan's law.



The changes build on Declan's law to make it stronger and put the community's safety as the paramount consideration for bail.



If Bail is not granted  
– Offender is remanded in custody to await trial.



Bail – If bail is granted after passing the two thresholds, mandatory electronic monitoring will apply (unless not practical).

# Transitional Provisions – *Bail Amendment Act 2025*

