**ORIGINATING APPLICATION – BAIL – APPLICATION**

SUPREME / DISTRICT / MAGISTRATES / YOUTH **Circle one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

CASE NO: ………………………

**……………………………………………………………………………… Full Name**

**Applicant**

**……………………………………………………………………………… Full Name**

**Respondent**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| **Full Name (including Also Known as)** | | | | |
| Name of law firm/solicitor  **If any** |  | | |  | |
| **Law Firm** | | | **Responsible Solicitor** | |
| Address for service |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  |  | |  |
| **City/town/suburb** | **State** | **Postcode** | | **Country** |
|  | | | | |
| **Email address** | | | | |
| Phone Details |  | | |  | |
| **Type (eg. Home; work; mobile) – Number** | | | **Another number (optional)** | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Respondent |  | | | | |
| **Full Name (including Also Known as)** | | | | |
| Address |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  |  | |  |
| **City/town/suburb** | **State** | **Postcode** | | **Country** |
|  | | | | |
| **Email address** | | | | |
| Phone Details |  | | |  | |
| **Type (eg. Home; work; mobile) – Number** | | | **Another number (optional)** | |

**Only complete if applicable otherwise mark as N/A**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Respondent |  | | | | |
| **Full Name** | | | | |
| Address |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  |  | |  |
| **City/town/suburb** | **State** | **Postcode** | | **Country** |
|  | | | | |
| **Email address** | | | | |
| Phone Details |  | | |  | |
| **Type (eg. home; work; mobile) – Number** | | | **Another number (optional)** | |

**Only complete if applicable otherwise mark as N/A**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Respondent |  | | | | |
| **Full Name** | | | | |
| Address |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  |  | |  |
| **City/town/suburb** | **State** | **Postcode** | | **Country** |
|  | | | | |
| **Email address** | | | | |
| Phone Details |  | | |  | |
| **Type (eg. home; work; mobile) – Number** | | | **Another number (optional)** | |

|  |
| --- |
| **Application details**  **Mark appropriate selection below with an ‘x’**  Matter type: ……………………………………………………  The Applicant applies for bail.  The Applicant’s date of birth is …………………………**date**  The relevant police file number is ……………………………………….**number/not known**  The offences in respect of which the Applicant is applying for bail are those set out in  [ ] the Information dated ……………………**date**in case number ………….. **insert case number**in the …………  ……………….**insert Court**  [ ] the police bail agreement dated………………………. **date**  The Applicant:  [ ] will not be represented at the hearing.  [ ] will be represented at the hearing by the law firm filing this Application.  [ ] will be represented at the hearing by …………………………………………………………………………...  ……………………………………………………………………….. **name, address and phone number of lawyer**  This Application is made on the grounds set out in the accompanying Affidavit sworn by ……………………….**name**on ……………………………**date**  **Only complete if applicable**  [ ] This Application is made with the consent of the prosecution as evidenced by ………………………………….  ……………………………………………………………………………….……….**evidence****(evidence of consent must be attached)** |

|  |
| --- |
| **Additional details**  **Mark appropriate selection below with an ‘x’**  Details of Proposed Address for Bail  [ ] **if applicable** Application for home detention bail to the proposed address. **home detention bail report requested**  Would a report from Department for Correctional Services as to suitability of the proposed address assist in this Application?  [ ] Yes  [ ] No  Proposed address: ……………………………………….……………………..**address****generated from party box if Defendant/Youth so selects**  Phone number at proposed address: ……………………………..**number****generated from party box if Defendant/Youth so selects**  Contact person at proposed address: ……………………………..**name**who is …………………. **relationship to [Defendant/Youth** and who can be contacted by telephone on ………………………… **phone no provision for multiple phone numbers**  The property is  [ ] owned by the *Defendant / Youth*  [ ] a Housing Trust property  [ ] rented by the *Defendant / Youth*  [ ] owned by ……………………………..**name**  [ ] rented by ……………………………..**name**  [ ] ………………………………………..………………………………………………………………………..**other – details**  The current residents at the proposed address are:  **Full names of residents in numbered paragraphs**   1. ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….   Are any of the current residents at the proposed address a co-accused of the *Defendant / Youth* **Circle one**or a witness who has provided a statement in relation to this matter?  [ ] Yes: …………………………………**name**is a *co-accused of the Defendant / Youth / witness* **Circle one**who has provided a statement in relation to this matter **provision for multiple**  [ ] No  Are any firearms located at the proposed address?  [ ] Yes, …………………………………… **name**who can be contacted by telephone on …………………………. **provision for multiple phone numbers** is the registered owner of a firearm located at the proposed address………………  ……………………………………………….. **provision for multiple**  [ ] No  Employment Details  The *Defendant / Youth* is currently  [ ] employed on a *full-time / part-time* basis.  [ ] self-employed on a *full-time / part-time* basis.  [ ] unemployed.  [ ] ………………………………………….**other**  **Complete the following if ‘employed’ selected above**  The *Defendant / Youth* is employed by ……………………..**full name** of ………………………………………  ……………………………………….**address**who can be contacted by telephone on ……………………………  …………………………….**phone no provision for multiple phone numbers.**  **Leave blank if only singular employer**  The *Defendant / Youth* is employed by ……………………..**full name** of ………………………………………  ……………………………………….**address**who can be contacted by telephone on ……………………………  …………………………….**phone no provision for multiple phone numbers.**  **Leave blank if only singular employer**  The *Defendant / Youth* is employed by ……………………..**full name** of ………………………………………  ……………………………………….**address**who can be contacted by telephone on ……………………………  …………………………….**phone no provision for multiple phone numbers.**  Proposed Guarantor[*s*]  Name: ……………………..  Date of birth: ……………………..  Address: ……………………..……………………..……………………..  Cash surety: $*.........................*  ***Leave blank if singular guarantor***  Name: ……………………..  Date of birth: ……………………..  Address: ……………………..……………………..……………………..  Cash surety: $*.........................*  ***Leave blank if singular guarantor***  Name: ……………………..  Date of birth: ……………………..  Address: ……………………..……………………..……………………..  Cash surety: $*.........................* |

**Complete next box only if application filed by the Applicant in person**

|  |
| --- |
| **Complete next line only if District or Supreme Court and home detention bail sought**  I believe that the proposed address is available and suitable for home detention bail.  …………………………………………  Signature of the Applicant  …………………………………………  Name printed  ………………………….  Date and time |

**Complete next box only if application filed by a solicitor**

|  |
| --- |
| **Next line displayed only if District or Supreme Court and home detention bail sought**  I confirm that my instructions are that the proposed address is available and suitable for home detention bail.  …………………………………………  Signature of the solicitor for the Applicant  …………………………………………  Name printed  ………………………….  Date and time |

|  |
| --- |
| **To the Respondent: WARNING**  This Application will be considered at the hearing at the date and time set out at the top of this document.  If you wish to oppose the Application or make submissions about it, **you must attend the hearing**.  If you do not do so, the Court **may proceed in your absence** and orders may be made **finally determining** this application without further warning. |

|  |
| --- |
| **Service**  The party filing this document is required to serve it on all other parties in accordance with the Rules of Court. |

|  |
| --- |
| **Accompanying documents**  **Mark appropriate selection below with an ‘x’**  Accompanying this Application is a:  [ ] Supporting Affidavit **mandatory**  [ ] If other additional document(s) please list them below:  ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………… |