



Bail in Adult Crew People Smuggling Prosecutions

Instruction Number: 5

Last Updated: June 2015

General

1. This Practice Group Instruction ('PGI') supersedes Director's Litigation Instruction No. 1, issued 27 June 2012.

Bail

2. The following policy applies in relation to bail for adult crew people smuggling prosecutions:
 - a) Each application for bail is to be considered on its own merits, on a case by case basis;
 - b) Prosecutors are to consider all relevant bail considerations including the following:
 - applicable statutory bail considerations in the prosecuting jurisdiction; and
 - the strength of the prosecution evidence against the defendant including the role played by the defendant in the offence (that is, captain or crew); and
 - if bail is granted, the likelihood of the defendant reappearing before the court.
 - c) If bail is granted, consideration should be given to any necessary conditions of bail.
3. This policy will be reviewed as circumstances deem it necessary.

A handwritten signature in blue ink that reads "David Adsett".

David Adsett
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