

# Applying for Bail at Downing Centre District Court

If you have been arrested and charged with a criminal offence, in many cases you will be offered [bail](#). Bail allows you to remain in the community under certain conditions, rather than having to stay in custody until the date of your hearing. If your crime is not severe, and you are not considered to be at high risk of further offending while out on bail, you will probably be granted bail at the police station. If you are refused bail, you will be taken to the nearest court as soon as possible so that you can request bail there.

Police can refuse to grant you bail under a number of different circumstances which may include:

- If you have committed an offence, such as murder, which has a 'presumption against bail'.
- If you have a previous history of breaching bail terms.
- If it is believed that your release on bail could be against the interests of the community.

If police have refused to grant you bail or the offence you have been charged with has a presumption against bail (meaning you are automatically refused unless you can provide evidence as to why you should be released on bail) you will need to explain the reasons why you should be granted bail to a magistrate or judge at a local or district court.

Depending on where and when you are arrested, you may be taken to [Downing Centre District Court](#) or another local or district court in your area. It is important that you gather as much documentation or evidence as possible to support your request for bail. Recent changes to the Bail Act have meant that there are restrictions as to how many times you can request bail, so it is essential that you ensure your first application is as strong as possible.

Some of the factors that the judge at Downing Centre District Court will take into consideration when deciding whether or not to grant bail include:

- The circumstances surrounding the offence.
- Any previous history of criminal activity or violence.
- Whether you have previously breached bail conditions.
- Any character references you can obtain which can reinforce your good character and standing in the community.
- What penalty you will be likely to receive if found guilty.
- Whether it is likely you will interfere with witnesses or evidence associated with the case.

If you need to apply for bail at a court, it is a good idea to find an experienced lawyer to represent you and give you the best chance of success.

If your application for bail is successful, you will be required to abide by certain [restrictions](#) until your legal matter is finalised. These restrictions can include rules surrounding where you live, who you associate with, and what activities you are involved in. You may also be required to attend mandatory counselling, traffic or rehabilitation programs as part of your bail conditions.

Breaching the terms of your bail could lead to further penalisation and you may be sent back to custody on remand until your trial, so it is important that you understand your bail conditions and take steps to avoid breaching them. If you have been refused bail by the district court, you may be able to appeal to the Supreme Court if there is new evidence to support your case.