

## QUESTION ON NOTICE

No. 924

Asked on 27 August 2025

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**MRS M NIGHTINGALE** ASKED MINISTER FOR YOUTH JUSTICE AND VICTIM SUPPORT AND MINISTER FOR CORRECTIVE SERVICES (HON L GERBER)

### QUESTION:

Will the Minister advise the number of Court-ordered conditional bail programs commenced by young people (reported separately by month, age, sex and Indigenous status for each month) from 2019-20 to 2024-25?

### ANSWER:

Under the existing legislative framework, the *Youth Justice Act 1992* does not contain any provision that specifically references “Conditional Bail Programs”, giving the Court no power to order such programs. The granting of bail with conditions is ordered by the Court pursuant to section 52A, and programs are typically sought in advance of the bail application by defence, from the department, through section 302. The department then prepares a program for the court’s consideration.

The limitation of the system we inherited means that if bail is granted, on most occasions the condition imposed simply requires compliance with the directions of the department. It may be that on some occasions, a Conditional Bail Program is expressly referenced in a bail condition. However, the department does not keep records of when this occurs.