



MAGISTRATES' COURT OF VICTORIA

REMOTE SURETY PROCESS – GUIDE FOR SURETIES

The COVID-19 Omnibus (Emergency Measures) (Criminal Proceedings and Other Matters) Regulations 2020 ('the COVID Regulations') came into force on June 2, 2020.

These Regulations modify the application of various provisions of a number of Acts.

An important modification is to the process of entering surety to bail.

This guide is designed to assist a surety to remotely sign the undertaking of bail and the affidavit of justification by surety. The Magistrates' Court of Victoria will manage this process as follows:

1. On the day bail is granted with a surety, you must attend at a Magistrates' Court with surety funds/documents and identification. This court can be a different court to the one that bailed the accused provided it is equipped with audio visual facilities;
2. If all other bail conditions can be satisfied, and you have with you the relevant documents or funds which can include:
 - a. cash;
 - b. bank-cheque;
 - c. original Certificate of Title (if the property is unencumbered);
 - d. mortgage statement, council rates notice and/or utility bills (if the property is subject to a mortgage); and
 - e. any other relevant documents

the registrar will attempt to book a link with the relevant custodial facility to enable bail to be entered remotely.

3. It should be noted that links may not be available immediately after the hearing. There may be a delay.
4. You will be required to remain at that court until an audio visual link is established with the authorised officer who will be entering the accused on bail.
5. If there is a delay in being able to establish a link, you may choose to attend at the relevant custodial facility to have the bail processed.