**~ The Potato Sack of Bail App Subs ~**

A collection of submission ripped off for replication from comments from the bench, other lawyers making smart submissions or that occasional stroke of advocacy that hits on your feet as you clench the podium. Got some good ones to add to the hive mind? – email me – james@murraytorcetti.com.au

**Fact Pattern:** Defendant has as lengthy criminal history including serious matters in the superior courts. However, absent from the page is (any) numerous breaches of bail or failures to appear.

**Submission to the effect of**: *The defendant has faced significant and serious charges in the past. The absence of numerous breaches of bail or failing to appear indicate the defendant both understands the importance of adhering to bail conditions and takes those considerations seriously. With conditions, the court can be satisfied the risk of committing further offences or breaching bail can be reduced to an acceptable level.*

**Pivot:** Where breaches of other orders such as DVO’s, Probation or suspended sentences – accepting the breaches of other orders, the courts can still examine the risks as they relate to grants of bail when weighing up the s16 considerations.

**Fact Pattern**:

**Submission to the effect of**:

**Pivot**: