

INFORMATION SHEET
SUPREME COURT CRIMINAL MATTERS

Application for Bail Review

An application can be made before a justice of the Supreme Court to review a bail decision made by a Provincial Court judge. Such an application can be made by a prisoner who is in custody and was refused bail by the Provincial Court judge or can be made by the Crown prosecutor who seeks to have a person granted bail remanded.

The form to be used to bring a bail review application before the Supreme Court depends on who is bringing the application. Where the person making the application is in custody the **Application for Bail Review - Currently in Custody** form is to be completed and submitted to the court. Where the Crown is making the application to have a person remanded the **Application for Bail Review** form is to be completed and submitted to the court.

For the **Application for Bail Review - Currently in Custody** form, you must secure a date for the hearing of the application in advance of filing your documents with the court. You do this by calling the Criminal Scheduler at 424-4900.

For the **Application for Bail Review** form you attend Crownside on a Thursday at 9:00 a.m. on at least two (2) clear days notice to obtain a date for the hearing of the bail review application.

The Supreme Court justice will require a transcript from the Provincial Court bail hearing **BEFORE hearing a bail review application**. It is the responsibility of the person making the bail review application to obtain a copy of the transcript. It is important to remember that on the first court attendance at Crownside on the **Application for Bail Review** that the date for the hearing will be set and the parties should inform the court of when they expect to have the transcript in hand from the Provincial Court.

Three (3) copies of the Application are required to be filed with the court. The court will keep the original and remit to you two (2) copies which you must serve on either the Provincial or the Federal Crown at the address noted on the Notice of Application.

We do recommend that you seek legal advice regarding any court application and suggest that you contact either Nova Scotia Legal Aid in Halifax at 420-6538; 420-6550 or 420-3450 or Nova Scotia Legal Aid in Dartmouth at 420-8815 or 420-8818 or Dalhousie Legal Aid at 423-8105 or the Legal Information Society of Nova Scotia at 455-3135.