

BAIL

Has someone you know been arrested?

If so, you should find out the following:

1. Full particulars of the accused, for example:-
 - Full names.
 - Residential address.
 - ID number.
 - Place of work.
2. At which police station or prison are they being held?
3. When were they arrested?
4. Where were they arrested?
5. Who is the Investigating Officer?
6. At which court will the accused appear or have they already appeared in court?
7. Particulars of the charge.

What are the accused's rights?

- The accused has the right to remain silent.
- The accused has the right to legal representation.
- The accused has the right to be brought before a court within 48 hours.
- The accused has the right to a speedy trial.

Is every accused released on bail?

- No, sometimes it may be in the interests of justice to refuse bail under the following circumstances:
- If the release of the accused will endanger the safety of the public.
 - If the accused is likely to commit an offence such as treason, murder, rape, robbery, fraud, forgery or assault where a dangerous wound is inflicted.
 - If the accused may influence or intimidate witnesses.
 - If the accused will hide or destroy evidence.
 - The state has a strong case against the accused.

If the accused is granted bail at the police station, how do I pay the bail?

Pay the bail amount to the police on duty. Make sure that you get a receipt for payment.

If the accused is granted bail at court, how do I pay the bail?

Pay the bail money to the Clerk of the Criminal Court.

Must I keep the bail receipt?

Yes, keep your bail receipt so you can claim your money back after the court case.

KEY:

1. ACCUSED - the person who is blamed for the wrongdoing
2. ARRESTED - capture of accused
3. BAIL - money given as security so that a person accused of a crime will return to stand trial
4. INTIMIDATE - influence a person by frightening them with threats or force
5. WITNESS - A person who sees or hears something

How can LegalWise help you? If you are arrested phone LegalWise or get a family member to phone us and supply us with the following information: the name of accused and the policy number of the accused. You must also supply the Legal Counsellor with all the other details you obtained from the accused. Your LegalWise policy covers the cost of an attorney for the bail application. **Note: LegalWise does not pay the actual bail amount.**