



BAIL WITH ELECTRONIC MONITORING

Information for Youth

Electronic monitoring as a condition of bail (EM bail) is available to suitable young people who are remanded in custody in a Oranga Tamariki (OT) Youth Justice Residence while waiting for a youth court hearing.

A person on EM bail wears an electronically monitored tracker and lives at an address approved by the Court.

How does EM bail work?

You wear an electronically monitored tracker 24 hours a day and lives at an agreed address at all times unless you have permission to leave for an approved purpose, such as work or to attend training or school.

The tracker is monitored by a security company and lets them know where you are and where you're supposed to be.

How do I apply for EM bail?

Fill out the Application for Bail with Electronic Monitoring. You may need the help of your youth advocate to complete the form for you. The form will need to be signed by your parent, guardian or youth advocate as well as yourself.

Do I need to give all the information in the application form?

If you do not give all the information, a Judge may not have enough information to grant you EM bail.

What do I do with my completed EM bail application?

Your youth advocate must file the application at:

- > Court, and
- > The local office of the Police Prosecution Service.

The court will notify Corrections of the application and hearing date.

Corrections will complete a Suitability Report and get it back to the Court, the Police, and your youth advocate two working days before your hearing.

What is a Suitability Report?

A probation officer in Corrections will complete a Suitability Report for a Judge to consider when making a decision about your application for EM bail. The probation officer:

- > may interview you (in the presence of your social worker at the Youth Justice Residence)
- > will interview the occupants at the proposed address and get their consent for you to live with them
- > may liaise with employers, schools and approved programme providers to ensure you comply with your bail conditions
- > will check that monitoring equipment will work at the address

The probation officer will also look at any risks you might pose, such as:

- > not turning up to court when you need to
- > interfering with witnesses or evidence
- > offending while on bail

How does the social worker help me?

When you are in a OT residence, a family group conference will be held and may discuss your suitability for bail. If EM bail is being considered your social worker will assist you during the interview and also assist the Corrections Probation Officer.

Why might I not get EM bail?

Some reasons you might not get EM bail include:

- > You are a risk to the safety of victims, occupants or the general community
- > The monitoring equipment doesn't work at the proposed address
- > You have been charged with or have been found guilty of child abuse or neglect and the proposed address has children living there
- > The address is not suitable
 - o Police or security company staff can't access the house when they need to
 - o The type of address is a tent, caravan, camping ground, or hostel
- > A person living at the address:
 - o doesn't give you permission to live with them
 - o is an alleged victim or co-offender of your current charges
 - o has a current protection, restraining, non-association or trespass order against you.

What happens if I am given EM bail?

You will agree to follow your EM bail conditions and go directly to your approved address and wait for a probation officer, OT social worker and a security guard to arrive. They will set up the monitoring equipment and put the electronic tracker on your leg.

You will be electronically monitored for as long as the EM bail continues.

What do I do if my situation changes while I am on EM bail?

You, your parent, guardian or youth advocate must call the EM Bail Team on 0800 EM BAIL (0800 36 2245) as soon as possible. The EM Bail Team will tell you/them what you/they need to do and what happens next.

Make sure you call the EM Bail Team at least three working days before any planned short-term absence. If you don't your absence might not be approved.

What happens if I break my bail conditions?

The tracker will trigger an alarm, and Police will arrive to check on you if you:

- > try to take off the tracker

- > leave your address without permission
- > are late back from a planned absence.

You may be arrested and have to appear before the Court who will decide whether your EM bail should continue.

What if there is an emergency - can I leave without permission?

You can leave without permission if:

1. you need immediate medical or dental treatment; or
2. there is an immediate danger of death or injury to you (– such as fire, earthquake, flood or violence).

Once you are safe, you should call the EM Bail Team on 0800 EM BAIL (36 2245) as soon as possible.

How can I find out more about EM bail?

You can find the Application for Bail with Electronic Monitoring along with more information about EM bail from:

- > Corrections website www.corrections.govt.nz or Police website www.police.govt.nz
- > local Court house
- > Community Corrections sites
- > prison remand units or
- > Oranga Tamariki Youth Justice Residences.

You or someone living with you can contact the EM Bail Team on 0800 EM BAIL (36 2245)