



**Aboriginal
Justice Caucus**



Victorian
Aboriginal
Legal Service



FEDERATION
OF COMMUNITY LEGAL CENTRES VIC



**KOORIE
YOUTH
COUNCIL**

MEDIA RELEASE 17 March 2025

Victorian Aboriginal Legal Service (VALS)

Bail Saves Lives: Poccum's Law is the Way Forward

Today, VALS alongside 91 representatives of ACCOs, community services, family violence and legal sectors stand together to launch our open letter 'Bail Saves Lives: Poccum's Law is the Way Forward'.

As a collective voice, we strongly condemn the suite of knee-jerk bail law changes that will be introduced to Parliament this week. We know they will lead to greater criminalisation of Aboriginal communities and other marginalised communities. **Granting bail saves lives.** Any bail reform must align with, and not detract from, Poccum's Law.

This open letter shares ten recommendations for the Victorian Government to implement immediately:

- 1) Do not amend bail laws for children or adults until a full statutory review can take place in 2026 that considers longitudinal data and assesses the systemic impact of Victoria's bail laws.
- 2) Ensure any bail reform aligns with Poccum's Law.
- 3) Immediately make further investment in therapeutic bail support options, which will improve community safety.
- 4) Do not reinstate double uplift, to ensure people are not locked up on remand for offences unlikely to result in imprisonment.
- 5) Exclude non-violent and summary offences from any legislative changes that further restrict access to bail.
- 6) Expand the jurisdiction of the Koori Court to hear bail applications.
- 7) Ensure any amendments to existing bail laws do not prevent children and young people from accessing therapeutic and rehabilitative supports within the community.
- 8) Adopt the caution model in the Youth Justice Act for adults, as a mechanism to address alleged offending connected to poverty, mental health, disability and homelessness.
- 9) Listen to and implement the recommendations of significant previous inquiries including the Yoorrook for Justice Report and CCYP's Always Was, Always Will be Koori Children, Our Youth, Our Way, In Our Own and Out of Sight reports as a matter of urgency.
- 10) To address driving factors of reoffending, the government must effectively fund and invest in:

Media inquiries: *Madeline Stenmark, Communications Team Leader*
0490 861 899, mstenmark@vals.org.au



**Aboriginal
Justice Caucus**



Victorian
Aboriginal
Legal Service



FEDERATION
OF COMMUNITY LEGAL CENTRES VIC



- a) Intensive bail supervision and supports, including Aboriginal led models, to support alleged offenders to successfully fulfil their bail conditions and address the causes of their offending.
- b) Aboriginal led therapeutic and specialist family violence supports and services, including access to legal supports that are based within communities.

It is not too late for the Victorian government to do the right thing by all Victorians, and invest in support services and programs that actually work.

Quotes Attributable to Nerita Waight, CEO of the Victorian Aboriginal Legal Service:

"It is a sad day in the colony to have to yet again advocate for Victoria's bail laws to be safer and not discriminate against our community. Premier, it is in fact these measures that will be part of your legacy of mistakes. Your proposed bail laws will mark a dark stain in Victoria's history, where you clearly haven't learnt from past mistakes and instead seek to entrench and criminalise our people. We are standing strong, continuing our fight for Poccum's Law to honour Veronica Nelson and all those who have passed away in custody, to all those who have wasted away in prison without support, without a way out. The fight is not over. No justice, no peace."

Quotes Attributable to Aunty Donna Nelson, mother of Veronica Nelson:

"I lost my daughter Veronica because of harsh and discriminatory bail laws. Without her, the 2023 bail reforms would not have happened, and because of Poccum's Law we created a safer bail system for all Victorians. The Premier has now called these reforms a mistake, which is such an insult to my daughter's memory. Returning to discriminatory legislation towards our people will undoubtedly result in another mother losing their child."

Quotes Attributable to Aunty Marion Hansen and Chris Harrison, Co-Chairs of the Aboriginal Justice Caucus:

The Victorian Government's newly proposed bail laws flagrantly disregard the recommendations of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) and the lived experiences of Aboriginal peoples, and if enacted, will undoubtedly result in more deaths in custody. As co-chairs of the Aboriginal Justice Caucus, we are deeply disappointed and outraged that reckless, politically motivated decisions are being made at the expense of urgent, life-saving reforms. Our communities are already severely overrepresented in the justice system, and any changes to bail laws that ignore the systemic barriers we face will only worsen this crisis. The government's refusal to engage with Aboriginal peoples and understand our realities risks deepening the injustices we endure, perpetuating a cycle of over-incarceration and harm. Immediate, decisive action is required. If the Victorian

Media inquiries: Madeline Stenmark, Communications Team Leader
0490 861 899, mstenmark@vals.org.au



**Aboriginal
Justice Caucus**



**Victorian
Aboriginal
Legal Service**



FEDERATION
OF COMMUNITY LEGAL CENTRES VIC



Government is truly committed to justice, it must reject these harmful proposals and work with our communities to implement meaningful reform."

Quotes Attributable to Bonnie Dukakis, CEO of the Koorie Youth Council:

"Aboriginal children, young people and their communities, know what works for them. Ultimately, these proposed bail reforms will have a dangerous and life-altering impact on our young people. We have done the work for years; we have the solutions, and the Allan government needs to listen and work with us to implement these frameworks. Working together means nothing to our communities if the government doesn't uphold their end."

Quotes Attributable to Lousia Gibbs, CEO at the Federation of Community Legal Centres:

"The bail reforms that came into effect less than a year ago were evidence-based and the product of many months of consultation with legal experts, communities, and Aboriginal Community Controlled Organisations. The decision to overhaul these considered laws in a rushed response to a scare campaign will only exacerbate issues of rising crime.

"The situation is not as simple as saying that locking people up will provide greater community safety. The data shows that keeping people in prison on remand increases the likelihood of them committing further crimes, and that any time spent in prison is the number one risk factor for re-offending and being incarcerated in the future. It's time to focus on putting services and systems in place that prevent people from offending in the first place, rather than creating pathways to further offending through incarceration.

"Victoria's community legal centres oppose changes to the bail laws that will disproportionately impact Aboriginal people, and support Victorian Aboriginal Legal Service in their powerful advocacy to keep all of our communities safe."