



Media Release

13th March 2025

The Victorian Government's 'Tougher' Bail Reforms Will Continue to Endanger Our Children and Young People

The Koorie Youth Council (KYC) urges the Victorian Labor Government to immediately halt the proposed bail reforms announced yesterday. We urge them to instead work with us and Victoria's Aboriginal community to implement community-driven and evidence-based solutions to ensure the ongoing wellbeing of Aboriginal and Torres Strait Islander children and young people. KYC strongly condemns knee-jerk bail changes that will revert many of the positive bail reforms, beneficial to all Victorians, which the Aboriginal sector advocated for over many decades.

Harsher bail laws will disproportionately impact vulnerable Aboriginal and Torres Strait Islander children and young people at a time when they need help and connection to culture and community. A 'hard on crime' approach to bail may resonate with some voters, however we know the harm it will bring to our children, young people and communities. This decision made by the Allan government will ruin lives.

Bonnie Dukakis, Chief Executive Officer at KYC states, '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.'

Intensive bail supports are due to come into effect later this year as part of the Youth Justice Act, which will provide critical wrap-around support that young people are crying out for. Until this is in place, vulnerable young people will be further criminalised by pre-existing systemic failures compounded by the bail reforms. The Allan government is justifying their backflip due to a perceived rise in youth offending. Although, they, and Victoria Police, have acknowledged that the 'crime crisis' is due to a small number of repeat offenders; data highlights that, per capita, crime remains at lower rates compared to 2016.

Yesterday, Minister for Police Anthony Carbines spoke at the press conference announcing a suite of proposed reforms that directly oppose advice provided by Victorian Aboriginal communities,

organisations and experts. However, at his Yoorrook hearing in May 2023, Minister Carbinés acknowledged that:

‘Bail laws is an example where [...] if we’re not engaging and accepting the advice of Aboriginal people, it has a deleterious effect on Aboriginal people.’

We remind the Minister, and the Allan government; children are not born as criminals but come to the attention of the criminal justice system after facing a series of unmet needs, especially young people in the child protection to youth justice pipeline.

KYC is insulted by the lack of consultation with the Victorian Aboriginal community and sector experts. We are firm in our stance that custody should be a matter of last resort; applied sparingly and, ideally, not at all for young people. Our communities, service-providers, leaders and experts in the field know that locking children and young people up does not result in rehabilitation and safer communities. It reinforces cycles of entrenchment in the criminal justice system—carrying through generations and resulting in further deaths in custody.

‘The Allan government does not seem to have learned anything from the Yoorrook truth-telling process. As Ministers have expressed, engagement with Victorian Aboriginal communities is integral to ensuring young people are protected into the future. Those in charge are ignoring the tireless advocacy and work over the past decades.’

The Allan government’s latest review process has been rushed and reactive to the current media and political climate. The 2023 bail reforms were a result of the fierce advocacy of the Victorian Aboriginal community, organisations, and allies across the criminal justice system, following the tragic passing of proud Gunditjmara, Dja Dja Wurrung, Wiradjuri and Yorta Yorta woman, Ms. Veronica Nelson in 2020. The new bail laws for adults were enacted less than 12 months ago, while youth bail amendments only came into effect in December 2024. KYC opposes the adequacy of this timeframe to assess the functionality of the bail reforms.

Coroner Simon McGregor said in 2023 that Victoria’s bail laws were a ‘complete and unmitigated disaster’ in his findings on the death in custody of Ms. Nelson. The government is boasting that the proposed laws will be ‘toughest (bail) laws we have ever seen.’

“‘Tougher’ bail reforms will never get to the ‘heart of the issue’ and create ‘safer communities’, instead the Victorian Government must uphold their commitments to self-determination. This isn’t just a justice issue—it’s a crisis of survival. With the cost-of-living skyrocketing, homelessness and housing insecurity on the rise, and crimes of poverty becoming an inevitable consequence, these reforms will only deepen the harm.’

The Allan government should be familiar with KYC's 2018 'Ngaga-dji: hear me' report; a vision for a Victoria that enables Aboriginal children and young people to thrive. One key recommendation in Ngaga-dji is to support, strengthen, and resource Aboriginal community organisations with embedded self-determined youth support systems. Localised cross-sector services that are holistic and community-led, will ensure children and young people are safe, seen and heard.

NO JUSTICE, NO PEACE.

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Links

www.koorieyouthcouncil.org.au
<https://www.koorieyouthcouncil.org.au/blogs/>

Read Ngaga-dji here: www.ngaga-djiproject.org.au

About the Koorie Youth Council (KYC)

KYC is the representative body for Aboriginal and Torres Strait Islander young people in Victoria. Guided by an Executive of Aboriginal and Torres Strait Islander young people, KYC values the diversity and strength of young people as decision-makers. KYC advocates to government and community to advance the rights and representation of Aboriginal and Torres Strait Islander young people. By hosting events like the annual Koorie Youth Summit, KYC brings Aboriginal and Torres Strait Islander young people together to amplify their voices for social change.