

# Bail Reform is Urgently Needed



## Expert Petition Calling for Urgent Reform of Victoria's Bail Laws

A spokesperson for the Victorian Government said that “bail laws were strengthened in the aftermath of the Bourke Street attack based on expert advice and community concern.”<sup>1</sup>

VALS invited individuals with relevant expertise to sign the below petition to demonstrate to the Victorian Government that experts across Australia, who work in, research and have lived experience of the criminal legal system do not support Victoria's bail laws.

**Dear Attorney-General Symes, Minister Hutchins and Minister Williams,**

**We, the undersigned academics, legal and non-legal practitioners, and people with lived experience, call on the Victorian Government to immediately begin the process of implementing the necessary legislative reforms to undo the failed policy of its punitive bail laws, which disproportionately impact on Aboriginal people, especially women, many of whom are victim-survivors of domestic and family violence. We are alarmed by reports that 44% of Victoria's prison population is on remand, and rely on our collective expertise and experience in recommending that the Victorian Government, as a matter of priority, reform its harmful, ineffective bail laws.**

### Signatories

1. Andreea Lachs, Head of Policy, Communications and Strategy, Victorian Aboriginal Legal Service
2. Dr Karen Hart, Senior Lecturer / Researcher in Criminal Justice and Youth Work, Victoria University
3. Anna Potter, Civil Lawyer, VALS
4. Siobhan Doyle, Senior Lawyer, Victorian Aboriginal Legal Service
5. Waulu McCartney, Custody Notification Officer, VALS
6. George Selvanera, Director of Executive and Corporate Services, Victorian Aboriginal Legal Service
7. Morgan O'Sullivan, Criminal Paralegal, Victorian Aboriginal Legal Service
8. Karen Fletcher, Senior Lawyer, Prison Advocacy, Fitzroy Legal Service
9. Penelope Weller, Professor of Law, RMIT University
10. Jacquelin Simondson, Trainee Lawyer, VALS
11. Simon Katterl, Academic, University of Melbourne
12. Hui Zhou, Principal Lawyer, Fitzroy Legal Service
13. Rosie Heselev, Community Lawyer, Fitzroy Legal Service

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<sup>1</sup> Katherine Gergory, 'Nearly 40 human rights group send damning letter to Victorian government over Indigenous incarceration' (28 May 2021), available at <https://www.abc.net.au/news/2021-05-28/victoria-bail-death-in-custody-letter/100170606>.

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14. Adrian Snodgrass, Principal Lawyer, Fitzroy Legal Service
15. Lucille Border, Aboriginal AOD Counsellor, Odyssey House Vic
16. Megan Pearce, Managing Lawyer, Social Action and Public Interest Law, Fitzroy Legal Service
17. Odette Shenfield, Outreach Lawyer, Fitzroy Legal Service
18. Laura Gartland, Administration & Client Services Officer, Fitzroy Legal Service
19. Dr Emma Russell, Senior Lecturer in Crime, Justice & Legal Studies, La Trobe University
20. Rachel Storey, Senior Women's Criminal & Outreach Lawyer, Fitzroy Legal Service
21. Dr Bree Carlton, Senior Lecturer Criminology, Deakin University
22. Shamila Liyanage, Lawyer, Family Law and Family Violence & Coordinator Family Violence Health Justice Partnerships, Fitzroy Legal Service
23. Dr Hannah McGlade, Executive Officer of NATSILS & member of the UN Permanent Forum for Indigenous Issues, NATSILS
24. Jennifer Black, Acting Chief Executive Officer, Fitzroy Legal Service
25. Jessica Wilkinson, Solicitor, Wilkinson Lawyers
26. Ben Watson, Lawyer, Stary Norton Halphen
27. Andrew McGregor, Solicitor advocate, Dowling McGregor Solicitors
28. Sam Biondo, Executive Officer, Victorian Alcohol and Drug Association
29. Jessica Richter, Principal Lawyer, St Kilda Legal Service
30. Monika Burgess, Legal Secretary - Criminal Law Practice, Victorian Aboriginal Legal Service
31. Timothy Goodwin, Barrister, Owen Dixon Chambers West
32. Patrick Crowle, Lawyer, Richard Revill Lawyers
33. Julia Kretzenbacher, President, Liberty Victoria
34. Dr Kathryn Daley, Program Manager, Bachelor of Youth Work & Youth Studies, RMIT University
35. Amanda Porter, Senior Fellow (Indigenous Programs), Melbourne Law School
36. Rory Randall, Academic, Melbourne University
37. Sherwood Du, Principal Solicitor, Nicodemus Lawyers
38. Bridie Kelly, Barrister, Victorian Bar
39. Eddie Synot, Research Fellow, Indigenous Law Centre, UNSW
40. Anne Tidyman, Manager Child & Family Services, Odyssey House Victoria
41. Marianne Zeinstra, Member, Sisters of Saint Joseph
42. Elena Pappas, CEO, Law and Advocacy Centre for Women Ltd
43. Maddie Carroll, Senior Lawyer, Emma Turnbull Lawyers
44. Amy Kirwan, Project Coordinator, Fitzroy Legal Service
45. Chloe Stapleton, Paralegal, St Kilda Legal Service
46. Sarah-jo Watt-Linnett, Client intake and community engagement officer, LGBTIQ Legal Service - St Kilda Legal Service
47. Teegan, Ex prisoner, Women and mentoring

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48. Julie Edwards, Chief Executive Officer, Jesuit Social Services
49. Steph Kerr, Associate, Supreme Court of Victoria
50. Jemma Mead, General Manager, drummond street services
51. Eddie Cubillo, Associate Dean, Indigenous Law & Justice Programs, Melbourne Law School
52. Shaun Ginsbourg, Barrister, Victorian Bar
53. Paul Kidd, Senior Community Lawyer, Fitzroy Legal Service
54. Monique Hurley, Associate Legal Director, Human Rights Law Centre
55. Thalia Anthony, Professor of Law, University of Technology Sydney
56. Paul McDonald, Chief Executive Officer, Anglicare Victoria
57. Anthony Kelly, Trainer/organiser, Melbourne Activist Legal Support (MALS)
58. Jacob Mildren, Solicitor, Orenstein Lawyers
59. Natan Bernfield, Care Coordinator, VAHS
60. Hilary Knack, Senior Lawyer, St Kilda Legal Service
61. Ren Flannery, Community Justice Project Officer, Victorian Aboriginal Legal Service
62. Frances Lovel, Solicitor, Victorian Aboriginal Legal Service
63. Sophie Trevitt, Executive Officer, Change the Record
64. Cheryl Axleby, Chair, Change the Record
65. Emily Smith, Lawyer, St Kilda Legal Service
66. Caetlyn Wells, Solicitor, WS Lawyers
67. Elena Campbell, Associate Director - Research, Advocacy and Policy, Centre for Innovative Justice, RMIT University
68. Derek Brannigan, Retired, Retired
69. Jo Malcolm-Black, Chief Executive Officer, The Youth Junction Inc
70. Lara Freidin, Senior Legal Policy Adviser, Federation of Community Legal Centres
71. Emma Coetsee, Human rights consultant, Reformist
72. Sanne Oostermeijer, Research Fellow, The University of Melbourne
73. Campbell Thomson, Barrister, Victorian Bar
74. Alison Thorne, Member of core group and a founding member, Indigenous Social Justice Association - Melbourne
75. Peter Rankin, Solicitor, Rankin Lawyers
76. Elizabeth Colliver, Lawyer
77. Ana Filipa Vrdoljak, Professor, Faculty of Law University of Technology Sydney
78. Dora Anthony, Lecturer, University of Wollongong
79. Steven Caruana, Coordinator, Australia OPCAT Network
80. Bronwyn Naylor, Professor of Law, RMIT University
81. Julie Kimber, Senior Lecturer, Politics & History, Swinburne University of Technology
82. Dr Grace O'Brien, Lecturer, Queensland University of Technology

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83. Karen Chibert, Barrister, Victorian Bar
84. Maddy Grant, Solicitor, Stary Norton Halphen
85. Heidi Phillips, Administration and Communications Officer, RMIT Centre for Innovative Justice
86. Lisanne Adam, Associate Lecturer in Law (ECDF) / PhD Candidate Criminal Justice and Corrections, RMIT University
87. Dr Sara Dehm, Senior Lecturer, University of Technology Sydney
88. Dr Marisela Velazquez, Academic Researcher, James Cook University
89. Sandra Wendlandt, Barrister, Victorian Bar
90. Laura Button, Coordinator- Women's Leadership Group, Fitzroy Legal Service
91. Prof. Marilyn McMahon, Professor, School of Law, Deakin University
92. Jade McDonald, Project Officer, Deadly Connections Community and Justice Services Limited
93. William Hart, Solicitor, Stary Norton Halphen
94. Nisha Patel, Lawyer, Stary Norton Halphen
95. Tim Cadman, Research Fellow, Institute for Ethics, Governance and Law, Griffith University
96. Nina Storey, Lived experience, Fitzroy Legal Services
97. Dr Louis Schetzer, Teaching Fellow, University of NSW
98. Dr Stephanie Jowett, Lecturer, QUT Law School
99. Cameron Scott, Barrister, Edward Coke Chambers
100. Colleen Gibbs, Executive Officer, National Health Leadership Forum
101. Marie Segrave, Associate Professor, Monash University
102. Cait Storr, Chancellor's Postdoctoral Research Fellow, University of Technology Sydney
103. Karen Fisher, Professor, Social Policy Research Centre, UNSW Sydney
104. Dylan Lino, Senior Lecturer, Law School, University of Queensland
105. Dr Michelle Newcomb, Lecturer - Social Work and Human Services, Queensland University of Technology
106. Laura Bedford, Lecturer, Criminology, Deakin University
107. Assoc Professor Scott Wilson, CEO, Aboriginal Drug & Alcohol Council
108. Katherine Biber, Professor of Law, University of Technology Sydney
109. Dr Maria Elander, Senior Lecturer, La Trobe Law School
110. Gavin Smith, Associate Professor, ANU
111. Georgia Graham, Office Manager, Canberra Community Law
112. Dr Francis Markham, Research Fellow, Australian National University
113. Jennifer Balint, Associate Professor in Socio-Legal Studies, Criminology, University of Melbourne
114. Anthony Hopkins, Associate Professor, ANU College of Law
115. Peter Higgs, Associate Professor, La Trobe University
116. Diana Johns, Senior Lecturer in Criminology, The University of Melbourne
117. Liz Nicol, Executive Assistant, Burnet Institute

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118. Harry Blagg, Professor, University of Western Australia
119. Rachele Kelly-Church, Paralegal, Canberra Community Law
120. Una Stone, Associate Lecturer, RMIT University
121. Robin Fitzgerald, Associate Professor in Criminology, University of Queensland
122. Tom Battersby, Barrister, Victorian Bar
123. Dr Russell Solomon, academic, RMIT University
124. Andrea Eakins, Manager, Administration Services, Burnet Institute
125. Peter Sainsbury, Citizen, Australia
126. Ebba Herrlander Birgerson, Researcher, University of Tasmania
127. Sara-Michelle Stilianos, Project Officer, Fitzroy Legal Service
128. Joni Meenagh, Lecturer, RMIT
129. Elena Marchetti, Professor, Griffith University
130. Jennifer Keene-McCann, Solicitor
131. Maria Giannacopoulos, Senior Lecturer in Law and Criminology, Flinders University
132. Georgina Heydon, Associate Professor, Criminology and Justice Studies, RMIT University
133. Olivera Simic, A/Prof, Griffith Law School
134. Peta Malins, Senior Lecturer, Criminology & Justice Studies, RMIT University
135. Jane Anderson, Honorary Research Fellow, University of Western Australia
136. Jonathon Hunyor, CEO, Public Interest Advocacy Centre
137. Kylie Pappalardo, Senior Research Fellow, School of Law, QUT
138. Monique Moffa, Associate Lecturer, Criminology & Justice Studies, RMIT
139. Leanne Weber, Professor of Criminology, University of Canberra
140. Dr Bianca Fileborn, Senior Lecturer, University of Melbourne
141. Hilde Tubex, Associate Professor, University of Western Australia
142. John Braithwaite, Emeritus, Australian National University
143. Julian R Murphy, PhD candidate, Melbourne Law School
144. Sally Andersen, Lecturer, Monash University
145. Robin Cameron, Senior Lecturer, Criminology & Justice Studies, RMIT University
146. Dr Natalia Hanley, Senior Lecturer in Criminology, University of Wollongong
147. Bruce K. Christensen, Associate Professor, Australian National University
148. Anton Symkovych, Lecturer in Criminology, University of Melbourne
149. Elisa Buggy, Executive Officer, Flat Out
150. Dr Lydia Wells, Lecturer, Law and Criminology, Murdoch University
151. Thomas Kane, Concerned Citizen
152. Stephen Gray, Senior Lecturer, Faculty of Law, Monash University
153. Michele Ruyters, Associate Dean, Criminology and Justice Studies, RMIT University
154. Katie Powell, Barrister, Victorian Bar

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155. Lorana Bartels, Professor of Criminology, Australian National University
156. Greg Barns SC, Former National President - Australian Lawyers Alliance, Douglas Menzies Chambers Melbourne
157. Rabea Khan, Barrister, Victorian Bar
158. Emma Strugnell, Barrister, Victorian Bar
159. Edwina Wright, Associate Professor, Monash University, Central Clinical School
160. Dr Piers Gooding, Research Fellow, Melbourne Law School
161. Margaret Cherry, Research, Previously North West Aboriginal and Islander Community Association
162. Jacqui Bampton, Support worker, Fitzroy Legal
163. Melia Benn, Barrister at Law, Endeavour Chambers
164. Caroline Spiranovic, Senior Lecturer, Faculty of Law, University of Tasmania
165. Robert Richter QC, Barrister, Victorian Bar
166. Jennifer Nielsen, Associate Professor, Southern Cross University
167. Warwick Fisher, Law Lecturer, Southern Cross University
168. Davinia Rizzo, Research Officer, Eastern Health - Turning Point
169. Tom Round, Lecturer, Law & Justice, Southern Cross University
170. Robert O'Neill, Barrister, Victorian Bar
171. Johann Ollquist, Barrister, Victorian Bar
172. Jeremy King, Principal Lawyer, Robinson Gill Lawyers
173. Jennifer Nicholls, PhD Candidate, Lived Experience of Prison, Citizen
174. Janine Dunleavy, Indigenous Environmental Anthropologist, Onemobdreaming Foundation
175. Penny Hill, PhD Candidate, Burnet Institute
176. Jill Faulkner, Independent Practitioner
177. Hannah Solomons, PhD candidate, University of Technology Sydney
178. Rebecca Winter, Senior Research Officer, Justice Health, Burnet Institute
179. David McDonald, Director, Social Research & Evaluation Pty Ltd
180. Shaun Marcus, Victorian Director, Australian Lawyers Alliance
181. Holly Doel-Mackaway, Senior Lecturer, Macquarie University Law School
182. Martin Radzaj, Barrister, Victorian Bar
183. John Killick, Writer, Freelance
184. Emma Rees, PhD Student, QUT
185. Amy Barrow, Senior Lecturer, Macquarie Law School
186. Gary Dowsett, Emeritus Professor, La Trobe University
187. Nyenpiu Mayor, Fitzroy Legal Service
188. Kieran Tranter, Professor and Chair of Law, Technology and Future, Queensland University of Technology
189. Zara Bending, Sessional Academic, Macquarie Law School



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190. David Woodroffe, Principal Legal Officer, North Australian Aboriginal Justice Agency
191. Toby Fattore, Academic, Macquarie University
192. Anna Copeland, Director of Clinical Legal Education, Murdoch University
193. Gabriela Franich, Criminology PhD Candidate, University of Melbourne
194. Dr Anthea Vogl, Senior Lecturer, Faculty of Law, UTS
195. Johnson Doan, Non-Executive Director, Community Arts Network Western Australia
196. Emma Colvin, Senior Lecturer in Law and Criminology, Charles Sturt University
197. Janet Hunt, Former President, ANTaR National
198. Steve Hemming, Associate Professor, Jumbunna Institute, UTS
199. Keagan Ó Guaire, Doctoral Candidate and Sessional Academic, Melbourne Uni
200. Dr Michelle Lim, Senior Lecturer, Macquarie Law School
201. Louisa Jones, Citizen, Community Centre Murwillumbah
202. Patrick McKenzie, Writer and researcher
203. Renee Mcnab, Advocate, Australian advocates for prisoners and their families
204. Ann King, Law student - Charles Sturt University/Inmate & families advocate/Certified Criminologist, Accredited NLP Practitioner/Hypnotherapist, Believe 2 achieve transformations with Ann / Invictus realty & finance
205. Jacinta Herden , Disability support and mental health carer, Brisbane
206. Travis Eades, Prisoner Advocate Group member and supporter
207. Emily Davies, Group member, Australian Advocate for Prisoners and their Families
208. Jade Hugo, Disability Support Carer, Improved Disability Services
209. Ananda Martins , Project Manager, Peoplecare
210. Andrew Burton, Member, Australian Advocate for Prisoners and their Families
211. Dr Karen Gelb, Director, Karen Gelb Consulting
212. Shellie Williams, Homemaker
213. Adrian Didlick, Historian and Author, Coburg Historical Society
214. Sandra, Retired, Get Bail
215. Katrin Strohl, Founder, Pentridge Voices - Oral History Project
216. Andy Kaladelfos, Senior Lecturer in Criminology, University of New South Wales
217. Shane Way, a bloke who has been in this situation, Support anyone in this awful situation
218. Emma Toney, Solicitor and Program Manager Dhurrawang Aboriginal Human Rights Program, Canberra Community Law
219. Jay Hopgood, Disabled, Centrelink
220. Domenic Care, Partner, James Dowsley & Associates
221. Michael McKenna, Senior Criminal Lawyer, Justice Connect - Homeless Law
222. Rachael Clark, Solicitor, Canberra Community Law
223. Sione S Crawford, CEO, Harm Reduction Victoria

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224. Mary Harrod, CEO, NSW Users and AIDS Association
225. Danielle Tyson, Senior Lecturer Criminology, Deakin University
226. Amy Brennan, Barrister, Victorian Bar
227. Maureen Dawson-Smith, State Manager Victoria, Court Network
228. Jemma Donaghey, Lawyer, Justice Connect - Homeless Law
229. Hannah Lewis, Principal Lawyer, Justice Connect Homeless Law
230. Jonathan Miller, Barrister, Victorian Bar
231. Alannah Cavalieri, Social worker, Uniting ReGen
232. Keryn Ralph, Manager, Uniting
233. Libby Kennaugh, Social Work Student, Uniting
234. Corinn Strating, Team Leader Co-ordination and Support, Uniting AOD and Mental Health Services
235. Sarah Jones, Manager Integrated Clinical Practice, Uniting Vic.Tas.
236. Jess Moretti, AOD Counsellor, Uniting ReGen
237. Debra Lucas, Playgroup Facilitator, Uniting
238. David De Witt, Barrister, VicBar
239. Amy, Expert, Lived Experience
240. Madeline Kelly, Legal Case Manager, First Step Legal
241. Peta Coad, Intake and assessment clinician, ReGen Uniting
242. Kate Constance, Specialist AOD Family Violence Advisor, Uniting
243. Rosie Carr, AOD Team Leader, Uniting
244. Karin Temperley, Solicitor
245. Ado Barker, Social worker (Homeless Persons' Liaison Officer), Justice Connect Homeless Law
246. Neos Zavrou, Executive Manager Community Programs & Institute, Odyssey House Victoria
247. Georga Wootton, Lawyer, Tenants Victoria
248. Patrick Cook, Senior Communications and Media Officer, Victorian Aboriginal Legal Service
249. Negar Panahi, Criminal Solicitor, Victorian Aboriginal Legal Service
250. Jennaye Dodd, Criminal lawyer, Victorian Aboriginal Legal Service
251. Stephanie Gillahan, Barrister, The Victorian Bar
252. Sarah Gall, Senior Solicitor, Victorian Aboriginal Legal Service
253. Tamsin Khor, Solicitor, Victorian Aboriginal Legal Service
254. Brianna Dennis, Senior lawyer, Victorian Aboriginal Legal Service
255. Dominique Lardner, Senior Criminal Lawyer, VALS
256. Edward Davis, Solicitor, Victorian Aboriginal Legal Service
257. Lee-Anne Carter, Statewide Community Justice Programs Leader, Victorian Aboriginal Legal Service (VALS)
258. Tarneen Onus Williams, Family Violence Client Services Officer, Victorian Aboriginal Legal Service
259. Jaime Carter-Maggs, Team Leader - Custody Notification System, VALS



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Victorian Aboriginal  
Legal Service

260. Dr Crystal McKinnon, Indigenous Research Fellow, RMIT
261. Andrew Arden, Regional Team Leader, Victorian Aboriginal Legal Service
262. ITGD Fund Committee, Committee Members, Incarcerated Transgender and Gender Diverse Fund
263. Timothy McCulloch, Barrister, Victorian Bar
264. Tahlia Zayat, Baggarrook Program Officer, Victorian Aboriginal Legal Service
265. Dr Isabelle Bartkowiak-Theron, Senior Lecturer, Senior Researcher, University of Tasmania - TILES
266. Fergus Peace, Policy, Advocacy & Research Officer, Victorian Aboriginal Legal Service