

# Media Release

Hon Jacinta Allan MP  
Premier



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## TOUGHEST BAIL LAWS IN AUSTRALIA PASS PARLIAMENT

The Allan Labor Government is delivering the toughest bail laws in the country, with the first tranche of legislation passing the Parliament this morning.

These new laws will jolt the system. They will change what decision makers consider, ensure respect for the rules and toughen the bail tests for the worst offences.

Starting immediately, community safety will come first on all bail decisions – becoming the overarching principle for bail decision-making. It will also no longer be necessary to consider remand as a last resort for a child.

Two bail offences of “committing an indictable offence while on bail” and “breach of bail conditions” will come into effect immediately. These will deliver consequences for those who do not respect the rules of bail and can be considered by bail decision-makers as a reason to refuse bail.

Both offences will be punishable by up to 3 months imprisonment on top of any other sentence imposed for any crime committed.

Additionally, if someone on bail has been arrested for breach of bail, the Bill will also allow police officers to bring that person to court directly, rather than wait for a bail justice.

The Tough Bail Laws will uplift serious high-harm offences like aggravated burglary, home invasion, carjacking and armed robbery to the toughest bail test, so bail is less likely even on the first charge.

Many crimes that most Victorians would consider serious and high-risk do not face tougher bail tests, so bail is more likely. We are ensuring that offences like serious gun and arson offences, and other knife and weapon offences like machete violence will be subject to a presumption against bail.

The changes to the tests for these offences will come into effect in at least three months. Because the changes to the bail tests are expected to result in another increase in the number of adult and youth offenders on remand, their start date will be linked to system workforce capacity.

The Government is ramping up this capacity, fast.

An expanded recruitment campaign is being prepared for corrections and youth justice workers, and further planning is underway to prepare the adult and youth systems for the increased demand.

The second *Tough Bail Bill* will be introduced in the middle of the year.

The second Bill will create the proposed tough new bail test for serious, repeat offenders. It will also uplift the new offence of ‘committing an indictable offence while on bail’ to face a tougher bail test – triggering the second-strike rule. Safeguards will be developed so the uplift is proportionate.

The second Bill is expected to result in a further increase in the number of adult and youth offenders on remand, for which the system must be ready.

These tough new laws build on our changes to the youth justice system last year, and our recently-passed nation leading ban on machetes.

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**Quotes attributable to Premier Jacinta Allan**

*“I have listened to victims of crime and Victorians, and I have acted. These are the toughest bail laws in the country – putting community safety above all and delivering consequences for those who break the law.”*

*“These send the strongest possible message to offenders – clean your act up or face the consequences.”*

**Quote attributable to Attorney-General Sonya Kilkenny**

*“These laws are about squarely targeting the risks that come with young people committing serious and dangerous crimes while out on bail.”*

**Quote attributable to Minister for Police Anthony Carbines**

*“Our tough new bail laws will help police as they crack down on repeat offenders and backs the hard work they do every day and night.”*