

# MANA-NA WOORN-TYEEN MAAR-TAKOORT EVERY ABORIGINAL PERSON HAS A HOME

**By delaying reform to Victoria's retrograde and damaging bail laws, the Victorian Government must take responsibility for putting more Aboriginal Victorians at risk of homelessness.**

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The Victorian Aboriginal Housing and Homelessness Forum (AHHF) and Aboriginal Housing Victoria (AHV) are deeply concerned about reports that reforms to the Victorian Bail Act 1977 will be delayed for another year.

These reforms would address changes to the act introduced in 2017-2018, which shifted responsibility for justifying bail to the offender. Like parole, bail is regularly denied if prisoners have no fixed address. The conditions now also apply to low-level offences drawing more Aboriginal women into the justice system. The number of Aboriginal women in jail almost doubled within a year of its introduction. These backwards policies drive more Aboriginal children into out of home care, where their risk of future homelessness is dramatically increased.

AHHF Chair and AHV CEO Darren Smith said any delay to bail reform will undermine the Victorian Government's commitment to the AHHF's *Mana-na woorn-tyeen maar-takoort: Every Aboriginal Person Has a Home* framework.

"If the Government is serious about tackling Aboriginal homelessness, and its root causes, it must act now to protect future generations of children from being caught in the same vicious cycles," Mr Smith said.

"These bail laws need urgent reform because we know they continue to have a huge impact on the housing stability of vulnerable people.

"It's a lose-lose situation: without stable housing, people are vulnerable and more likely to offend, and without secure housing outside of jail, people are denied their freedom and Aboriginal children are taken away."

Victorian Aboriginal Legal Service CEO Nerita Waight said bail reform must happen, so we don't see more tragedies like the passing of Gunditjmara, Dja Dja Wurrung, Wiradjuri and Yorta Yorta woman, Veronica Nelson.

"Veronica's family and Aboriginal communities across Victoria have been consistent in asking for urgent bail reform. It has been three and a half years since Veronica's passing – why should we have to wait any longer? The Andrews Government have shown they can move much quicker when they care to," Ms Waight said.

"Veronica's family have asked for Poccum's Law, reforms that would include, removing the presumption against bail, granting access to bail unless there is a serious and immediate safety risk, removing all bail offences, and ensuring that a person is not remanded if they are unlikely to receive a sentence of imprisonment.

"Aboriginal women, like Veronica, and Aboriginal children have been disproportionately impacted by the bail laws implemented by the Andrews Government in 2017."

Mr Smith said the AHHF and AHV fully supported the call from Veronica Nelson's family for the Government to implement Poccum's Law.

"When Coroner Simon McGregor handed down his report into Veronica Nelson's death in custody, he was tearful. He said the reverse onus test breached the charter of human rights," Mr Smith said.

"Since the 1991 royal commission into Aboriginal deaths in custody, more than 540 First Nations people have died behind bars – it's time to take action now, not in 12 months time."

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