



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Peter Cain MLA (Chair), Dr Marisa Paterson (Deputy Chair), Mr Andrew Braddock MLA

Submission Cover Sheet

Inquiry into the Administration of Bail

Submission Number: 001

Date Authorised for Publication: 23 May 2024



ABN: 41 473 082 653

VICTIMS OF CRIME ASSISTANCE LEAGUE (ACT) INC.
A Free Community Support In ACT and Region

Patron: Mr Bill Stefaniak AM; RFD

14 May 2024

Dear Committee

Inquiry into the Administration of Bail in the ACT

Thank you for the opportunity to be heard through this submission. VOCAL has been providing assistance to victims of crime since 1988 and have dealt with a wide variety of cases. As such we are well situated to provide a unique and crucial perspective on matters regarding the administration of bail in the ACT.

According to the National Indigenous Times February 2024, the rate of recidivism in ACT is higher than any other state or territory in Australia which not only affects the community in general but more specifically the victims of crime who are usually more vulnerable and have long standing effects from the crime no matter how small or how serious. We have seen tragic cases of re-offending leading to serious injuries, trauma or even death, as a direct result of the current bail procedures and supervision systems. These cases are especially prevalent regarding victims of family or personal relationship crimes and gender-based violence. It appears that family members of offenders are much more susceptible to recidivism or re-offending from relative or some they know intimately while out on bail. As such VOCAL calls for more effort and attention to be provided to this problem to protect those most vulnerable. Drug abuse also plays a great role in re-offending while on bail. The elderly and other vulnerable people in our community have been burgled or otherwise brutalised by substance abusers desperate to finance their habit.

Our recommendations are:

- Provide greater supervision for people on bail to decrease the chances of re-offending.
- Create more efficient and effective systems of reporting of re-offending while on bail as well as stricter punishments to deter future re-offenders on bail.
- More recognition of the potential dangers to the victims of crime especially regarding targeted persons or family related crime.
- Greater consideration should be given to cases regarding family or intimate relationship violence when determining the method and frequency of bail supervision.
- Greater attention afforded towards bail supervision for those who have a past criminal history.

We note that there are existing procedures at intake to establish whether an alleged offender has a mental health issue or other significant health issue. However, it appears that this may sometimes not be followed with strict adherence to ensuring that alleged offenders are appropriately assessed and receive relevant attention, not just information in the form of leaf lets and referrals, and the bail decision reviewed as a matter of urgency if the health diagnoses suggest withdrawing bail is safer for the public. This may mean a review of procedures and funding to other relevant services not just corrective services. Other involved health services would then have an increased role and responsibility in reporting their contact with alleged offenders regarding relevant services provided to people on bail.

Marie-noëlle Curé BSWK
Service Coordinator
VOCAL ACT Inc.