



Submission cover sheet

Inquiry into the Bail Amendment Bill 2026

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ADACAS

Advocacy

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Legal Affairs

Inquiry into the Bail Amendment Bill 2026

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1. Executive Summary

ADACAS welcomes the opportunity to provide a submission to the Standing Committee on Legal Affairs inquiry into the Bail Amendment Bill 2026.

This submission is grounded in the experiences of people with disability, people experiencing mental ill-health, children and young people, older people, carers and victims who may face significant barriers when engaging with police, courts, lawyers, corrections, youth justice and community-based support systems. Through independent advocacy, people have shared the practical consequences of justice-system processes that are difficult to understand, difficult to comply with, or not responsive to disability-related needs. These experiences, shared with advocates and carefully de-identified, form the foundation of this submission.

ADACAS supports the broad intent of the Bail Amendment Bill 2026. In particular, ADACAS welcomes the Bill's recognition that bail decision-making should take account of disability, health conditions, communication capacity, treatment and support needs, children's circumstances, Aboriginal and Torres Strait Islander people's circumstances, pregnancy and the concerns of victims. Proposed section 22C is especially important because it requires decision-makers to consider the treatment and support required to manage a disability or health condition, and the effect of that disability or health condition on a person's ability to understand rights and obligations, make decisions, communicate decisions and represent their interests.

However, ADACAS is concerned that the Bill will not achieve its protective and human rights objectives unless it is strengthened through clear operational safeguards. People with disability and mental ill-health may not self-identify. Some may not have a formal diagnosis. Some may mask their needs. Some may agree to bail conditions they do not understand. Some may not have transport, housing, medication access, or community support needed to comply with conditions. Some children and young people may have learning disabilities, cognitive disability, trauma, or communication needs that have not been identified.

ADACAS therefore supports the Bill in principle, but recommends targeted amendments and implementation measures to ensure that disability, mental health, cognitive, learning and communication support needs are identified early and respectfully; that bail conditions are understandable, realistic and supported; that custody is not used as a substitute for disability, mental health, housing or community support; and that

independent advocacy, supported decision-making and reasonable adjustments are embedded in bail processes.

ADACAS recommends that the Bill be supported only with stronger safeguards around disability screening, accessible communication, supported decision-making, reasonable adjustments, practical compliance with bail conditions, community-based support, victim participation, police and authorised-officer processes, training, implementation monitoring and access to independent advocacy.

ADACAS asks the Committee to recommend that the Bill proceed only with clear implementation safeguards requiring early identification of disability, mental health, cognitive, learning and communication support needs; accessible communication and reasonable adjustments at all bail decision points; practical assessment of whether a person can understand and comply with proposed bail conditions; access to advocacy and supported decision-making where needed; and transparent monitoring of the impact of the reforms on people with disability, children and young people, victims and people with multiple vulnerabilities.

2. Summary of Recommendations

ADACAS recommends that the Committee recommend amendments and implementation measures to:

1. **Support the passage of the Bail Amendment Bill 2026 in principle**, particularly the inclusion of proposed section 22C, which recognises disability and health conditions as relevant to bail decision-making.
2. **Strengthen proposed section 22C** so that disability, mental health, cognitive, learning and communication support needs are identified early, respectfully and reliably, rather than only where a person self-identifies or appears to have disability.
3. **Require routine, low-threshold screening for disability-related support needs** at the earliest point of contact, including questions about understanding, communication, decision-making, memory, mental health, medication, transport, housing, treatment, appointments and capacity to follow conditions.
4. **Require reasonable adjustments, communication support, supported decision-making, interpreters, intermediaries, advocates and support people to be considered before a person is expected to answer bail questions or agree to bail conditions.**
5. **Require bail conditions to be accessible, realistic, proportionate and explained in a way the person understands**, including through plain language, Easy English or other accessible formats where required.
6. **Require decision-makers to consider whether the person can comply with proposed bail conditions in practice**, having regard to disability, mental ill-health, cognitive impairment, learning disability, communication needs, transport, housing, medication, treatment, community services, carer responsibilities and available support.
7. **Ensure disability, mental ill-health, homelessness, lack of community support or perceived vulnerability are not used as protective reasons to**

refuse bail where risk can be managed through community-based support and least restrictive conditions.

8. **Update ACT Policing intake and bail consideration forms** to include prompts about disability, mental health, cognitive impairment, learning disability, communication support, medication, treatment, NDIS or other supports, carer responsibilities, transport, housing instability and the need for an advocate or support person.
9. **Ensure trained police, court staff, disability liaison officers, advocates and other appropriate support workers are reasonably available at the police and authorised-officer stage**, where many bail decisions begin.
10. **Create a pathway to input from a suitably qualified person where disability, cognitive impairment, learning disability, mental ill-health or communication need is suspected but unclear.**
11. **Ensure children and young people with disability, learning needs, trauma or communication barriers receive additional safeguards**, including supported decision-making, advocacy, accessible explanations and consideration of whether repeated breach reflects unmet support needs rather than deliberate non-compliance.
12. **Ensure victims with disability can participate safely and accessibly in bail processes**, including through advocacy, accessible information, communication support, supported decision-making, intermediaries, trauma-informed practice and reasonable adjustments.
13. **Ensure bail decision-making considers overlapping vulnerabilities together**, including disability, mental ill-health, First Nations status, childhood, pregnancy, trauma, homelessness, family violence, communication disability and carer responsibilities.
14. **Develop mandatory training and guidance** for police, prosecutors, courts and relevant justice agencies on disability-responsive, trauma-informed, culturally safe, communication-accessible and supported decision-making approaches to bail.

15. Monitor and publicly report on implementation, including impacts for people with disability, psychosocial disability, cognitive impairment, learning disability, communication disability, First Nations people with disability, children and young people with disability, victims with disability and people with multiple vulnerabilities.

3. About ADACAS

ADACAS is an independent advocacy organisation working with people with disability, people experiencing mental ill-health, older people and carers. For more than 35 years, ADACAS has provided free, independent and confidential advocacy support, giving the organisation a deep understanding of how justice, health, disability, mental health, housing and community service systems affect people who experience barriers to being heard and understood.

ADACAS' submission is grounded in the experiences of people who have sought independent advocacy support because they needed help to be heard, understood and treated fairly within complex systems, including justice, health, mental health, housing, disability, aged care, education and community service systems.

ADACAS' role as an independent advocacy organisation is to work alongside people to ensure their will and preferences are heard, understood and respected. Advocacy is tailored to individual needs and preferences, supporting people to speak for themselves wherever possible, or acting on their behalf at their request. ADACAS treats people as experts in their own lives and works in ways that are person-centred, trauma-informed, culturally responsive and grounded in supported decision-making.

ADACAS provides both individual and systemic advocacy. Individual advocacy supports people to resolve issues affecting their own lives. Systemic advocacy draws on de-identified patterns and issues raised through individual advocacy to inform policy, legislative and service system reform. In this way, ADACAS seeks to ensure that the experiences people share with advocates can contribute to broader change while protecting privacy, dignity and safety.

ADACAS' interest in the Bail Amendment Bill 2026 arises from its advocacy experience with people who may face barriers when engaging with police, courts, lawyers and justice processes. These barriers may arise from intellectual disability, cognitive disability, psychosocial disability, acquired brain injury, neurodivergence, learning disability, communication disability, trauma, mental ill-health, unstable housing, poverty, limited informal support or difficulty accessing treatment and community services.

All examples included in this submission have been deliberately de-identified and generalised. No client names, family names, addresses, precise ages, detailed medical histories, unique personal circumstances, court file details or identifying justice-system

information are included. This reflects ADACAS' commitment to protecting the privacy, dignity and safety of the people whose experiences inform this submission.

4. Overall Position

ADACAS supports the broad intent of the Bail Amendment Bill 2026. ADACAS welcomes the Bill's recognition that bail decision-makers should consider the circumstances of people with disability or health conditions, children, Aboriginal and Torres Strait Islander people, pregnant people and victims.

ADACAS particularly supports proposed section 22C, which requires decision-makers to consider the treatment and support required to manage a disability or health condition, and the effect of the disability or health condition on the person's ability to understand their rights and obligations, make decisions, communicate decisions and represent their interests.

However, ADACAS is concerned that the protections in the Bill may not be effective unless operational safeguards are strengthened. Legislative recognition of disability is necessary, but not sufficient. The practical question is whether police, authorised officers, courts, prosecutors and other justice agencies will reliably identify disability-related support needs, provide accessible communication, arrange reasonable adjustments, understand the relationship between disability and bail compliance, and ensure bail conditions are realistic in the person's actual circumstances.

People who seek advocacy support often describe being misunderstood by systems that assume comprehension, capacity, compliance and stability. In bail processes, these assumptions can have serious consequences. A person may agree to conditions they do not understand. A young person may repeatedly breach conditions because disability, learning needs or trauma have not been identified. A person may be expected to attend appointments without transport. A person may be released with a support plan that does not address medication access or service withdrawal. A victim with disability may not know how to communicate safety concerns or access court adjustments without advocacy support.

ADACAS' overall position is that the Bill should proceed only with stronger safeguards to ensure that bail decision-making is disability-responsive, trauma-informed, communication-accessible, culturally safe, supported by independent advocacy where needed and grounded in the real circumstances of the person.

5. Disability and Health Conditions Must Be Meaningfully Considered in Bail Decisions

ADACAS strongly supports the inclusion of proposed section 22C in the Bail Amendment Bill 2026. Proposed section 22C requires a decision-maker, where the person has a disability or health condition, to consider the treatment and support required to manage the disability or health condition, and the effect of the disability or health condition on the person's ability to understand rights and obligations, make decisions, communicate decisions and represent their interests.

This is an important reform because it recognises that disability and health conditions may directly affect a person's ability to understand bail, participate in legal processes, communicate with police and courts, instruct lawyers, make decisions, comply with conditions and represent their interests.

The explanatory material recognises that failing to consider whether a person can understand and comply with bail conditions can result in a cycle of breached bail conditions, further interaction with the criminal justice system and further incarceration.

ADACAS supports this recognition. However, ADACAS submits that proposed section 22C should operate as a practical safeguard, not merely a formal consideration. Decision-makers should be required to actively consider what support the person needs to participate in the bail process and comply with any conditions imposed. This should include consideration of communication support, supported decision-making, advocacy, reasonable adjustments, interpreters, intermediaries, support people, accessible information and professional assessment where needed.

6. The Bill Should Not Rely on Self-Disclosure or Visible Disability

ADACAS is concerned that the protections in proposed section 22C may not reach the people who most need them if the system relies on self-disclosure, visible disability or formal diagnosis. The explanatory material indicates that section 22C matters are required to be considered where there is information or evidence available to the decision-maker indicating that the person has a disability or health condition.

In practice, many people may not identify as having disability or mental ill-health. Some people may not have been assessed. Some may have learning disabilities, cognitive disability, psychosocial disability, acquired brain injury, neurodivergence, trauma or communication disability that has not been recognised. Some may mask their needs. Some may not understand why disclosure is relevant. Some may distrust police, courts or government systems. Some may simply agree to what is put to them because they want to leave custody or because they do not understand the consequences.

Learning disability should be expressly recognised in implementation guidance. Learning disabilities are often overlooked but can significantly affect how people participate in processes and understand information shared with them.

ADACAS recommends routine, low-threshold screening for disability, mental health, cognitive, learning and communication support needs at the earliest point of contact. Screening should not require a person to know a diagnosis or use disability language. It should ask functional, accessible questions about whether the person needs help to understand what is happening, communicate, remember information, make decisions, manage mental health, take medication, attend appointments, access transport or follow conditions.

ADACAS also recommends that where disability-related needs are suspected but unclear, there should be a pathway to input from a suitably qualified person. Where disability-related needs are suspected but unclear, decision-makers should have access to timely input or assessment from a suitably qualified person, particularly where appropriate information is difficult to source, and the person may not be able to identify or explain their own support needs.

7. Bail Conditions Must Be Understandable, Realistic and Supported

Bail conditions that are not understood, not accessible or not practically achievable can set people up to fail. ADACAS submits that the key practical question should be: can this person realistically understand and comply with these conditions, with the supports actually available to them?

The explanatory material recognises that if a person's ability to understand and comply with conditions is not considered, there is a real risk of non-compliance, further bail breaches and further justice-system involvement.

ADACAS' advocacy experience confirms this risk. A person may be willing to comply but unable to do so because they do not understand the condition, cannot remember it, cannot read it, cannot communicate about it, cannot travel to required appointments, cannot access medication, cannot navigate community services or does not have the support that the bail plan assumes is available.

ADACAS recommends that bail conditions be provided in plain language and, where needed, Easy English or another accessible format. Conditions should be explained orally and checked for understanding. Decision-makers should consider whether the person needs an advocate, support person, communication assistant, interpreter, intermediary or supported decision-making support before conditions are imposed or accepted.

ADACAS also recommends that bail conditions should be tested against the person's actual circumstances, including disability, mental ill-health, learning needs, housing, transport, medication, treatment, carer responsibilities, appointments, service availability and community supports.

8. Custody Must Not Be Used as a Substitute for Disability, Mental Health, Housing or Community Support

ADACAS strongly submits that disability, mental ill-health, homelessness, lack of services or perceived vulnerability should not be used as protective reasons to refuse bail where risk can be managed through community-based support and least restrictive conditions.

The explanatory material indicates that vulnerable-cohort considerations are intended to have a beneficial effect and should not be treated as factors that weigh against bail.

This principle should be made explicit. Custody is not disability support. Custody is not mental health treatment. Custody is not stable housing. Custody is not a substitute for transport, medication access, community services, advocacy or supported decision-making.

Where a person's circumstances raise concerns, the first question should be whether those concerns can be addressed through realistic, supported, least restrictive bail conditions. A person should not be remanded because the community support system has failed to provide what is needed.

ADACAS recommends that the Bill, statutory notes or implementation guidance expressly state that disability, mental ill-health, homelessness or lack of support must not operate as a protective reason to refuse bail where risk can be managed through appropriate community-based supports.

9. Police and Authorised Officer Processes Require Stronger Safeguards

ADACAS is particularly concerned about the police and authorised-officer stage because many bail decisions begin before a person has meaningful legal, advocacy or disability support.

The explanatory material indicates that authorised officers are expected to obtain relevant information from the accused person, including through intake and bail consideration forms, and to review information in ACT Policing systems when considering disability and health condition matters.

ADACAS recommends that ACT Policing intake and bail consideration forms be updated to include clear prompts about disability, mental health, cognitive impairment, learning disability, communication support, medication, treatment, transport, housing, NDIS or other supports, carer responsibilities and whether an advocate or support person should be contacted.

ADACAS also recommends that trained police, disability liaison officers, advocates and other appropriate workers be reasonably available at the police and authorised-officer stage.

Without practical availability of trained staff and support workers, the Bill's protections may remain theoretical. A form that asks the right questions will not be sufficient if the person does not understand the questions, does not trust the process, or needs communication support to answer.

10. Children and Young People with Disability, Learning Needs and Trauma

ADACAS welcomes the Bill's specific recognition of matters relevant to children, including age, maturity, developmental capacity, least onerous necessary bail conditions, relationships, stable living arrangements, therapeutic support, education, stigma, the impact of custody and the ongoing effect of health conditions, disability, trauma, abuse, neglect, loss, family violence and child welfare involvement.

ADACAS submits that these provisions must be implemented with particular attention to children and young people with disability, learning disabilities, cognitive disability, communication needs, psychosocial disability and trauma. Young people may never have been diagnosed and may not understand their own needs or what is happening to them in the justice process.

In ADACAS' practice experience, young people in youth justice settings, including Bimberi Youth Justice Centre, may be at risk of having their level of understanding assumed where they do not present with visible disability. Further incidents or repeated breaches may then be viewed primarily as non-compliance, rather than prompting consideration of whether disability, learning needs, trauma, communication barriers or developmental capacity have affected understanding and compliance.

ADACAS submits that repeated breach should not automatically be interpreted as defiance, unwillingness or disregard. It may indicate that conditions were not understood, were unrealistic, were unsupported, or did not take account of disability, learning needs, trauma, communication barriers or developmental capacity.

ADACAS recommends that where a child or young person is subject to bail, decision-makers should actively consider whether the child needs a support person, advocate, communication assistance, professional assessment, supported decision-making support or a disability-informed explanation before conditions are imposed.

11. Victims with Disability Must Be Able to Participate Safely and Accessibly

ADACAS supports the Bill's intention to improve the way victim concerns and information are communicated in bail processes. The Bill expands the role of victims and victim representatives, including by allowing victims to express concerns about protection from violence or harassment, allowing primary victims to provide other information and allowing a victim representative to represent a primary victim's concerns or provide information.

The explanatory material states that victim representative provisions are designed to ensure vulnerable victims are not further disadvantaged where capacity, safety concerns or other factors make it difficult for them to make representations or give information themselves.

ADACAS supports this direction but recommends that victim-facing processes must also be disability-responsive. Victims with disability, psychosocial disability, cognitive impairment, learning disability, communication disability or trauma may need accessible information, advocacy, intermediaries, communication support, supported decision-making, trauma-informed practice and reasonable adjustments.

ADACAS also notes the practical value of disability-friendly court spaces. Staff practice evidence described circumstances where ADACAS assisted clients to access the Court Disability Liaison Officer and remote access or witness suites that are disability-friendly, quiet, private and better suited to regulation and participation.

ADACAS recommends that victims and accused people with disability be given clear, accessible information about available court adjustments and support pathways.

12. Intersectionality and Overlapping Vulnerabilities

ADACAS welcomes the Bill's inclusion of specific considerations for Aboriginal and Torres Strait Islander people, people with disability or health conditions, children and pregnant people.

ADACAS submits that these considerations must be applied in an integrated way. A person may be a young Aboriginal person with cognitive disability, trauma history and unstable housing. A person may be pregnant and experiencing psychosocial disability. A victim may have communication disability and be experiencing family violence. A child may have a learning disability, trauma history and child protection involvement.

ADACAS recommends that implementation guidance and training include practical intersectional scenarios, including First Nations people with disability, children with disability, people with psychosocial disability, people with communication disability, people with learning disability, pregnant people with disability and victims with disability.

13. Independent Advocacy, Supported Decision-Making and Reasonable Adjustments

Independent advocacy and supported decision-making are practical safeguards in bail processes. They help people understand what is happening, communicate their will and preferences, explain their needs, ask questions, access adjustments, instruct lawyers, engage with courts and understand the consequences of bail conditions.

ADACAS recommends that police, courts and relevant justice agencies be required to consider whether a person needs independent advocacy, supported decision-making, communication support, an intermediary, interpreter, Easy English, plain language explanations or another reasonable adjustment before relying on the person's responses or agreement.

This is particularly important where the person has cognitive disability, learning disability, psychosocial disability, communication disability, acquired brain injury, trauma, limited literacy, limited informal support or difficulty understanding legal information.

14. Implementation, Training and Monitoring

The success of the Bail Amendment Bill 2026 will depend on implementation. Legislative recognition of disability and health conditions is necessary, but not sufficient. Police, prosecutors, courts, youth justice staff, corrections, lawyers, disability liaison officers and community services need practical guidance, training, referral pathways and accountability mechanisms.

Training should include disability awareness, psychosocial disability, cognitive disability, acquired brain injury, neurodivergence, learning disability, communication access, trauma-informed practice, supported decision-making, reasonable adjustments, cultural safety and the practical relationship between bail conditions and community support.

Implementation guidance should make clear that bail conditions should not be imposed without considering how the person will comply in practice. A support plan that does not address transport, medication, service withdrawal, housing instability or communication needs may be insufficient to support compliance.

ADACAS recommends transparent monitoring and public reporting on the impact of the reforms. Monitoring should include impacts for people with disability, psychosocial disability, cognitive impairment, learning disability, communication disability, First Nations people with disability, children and young people with disability, victims with disability and people with multiple vulnerabilities.

15. De-identified Practice Examples

The following examples are deliberately de-identified and generalised to protect privacy. They are included to illustrate practical risks, not to identify individuals.

Example 1: Bail conditions may be agreed to without being understood

Through advocacy, ADACAS has seen that a young person may agree to bail conditions without understanding what those conditions mean or what may happen if they are breached. In one de-identified example, a young person had breached bail conditions multiple times. The young person did not tell anyone they did not understand the conditions and simply agreed to them. The young person identified as having dyslexia and struggled to comprehend the court process. With advocacy support, communication between the lawyer and the court improved, and the young person was better able to participate, have their voice heard and understand the bail conditions and consequences of breach.

This example illustrates why bail conditions must be explained in accessible language and why decision-makers should not assume understanding because a person has nodded, agreed or signed.

Example 2: Learning disability can be overlooked in bail processes

Through advocacy and internal practice reflection, ADACAS has identified that learning disabilities may be overlooked in justice processes even though they can significantly affect how a person understands information, participates in decision-making and complies with conditions. Learning disabilities should be included because they are often missed but can substantially affect a person's ability to understand what is being communicated.

This example illustrates why disability screening must include learning disability and should not be limited to visible disability, formal diagnosis or self-identification.

Example 3: Young people may breach conditions because support needs have not been identified

Through advocacy and internal practice reflection, ADACAS has identified concerns that young people may be assumed to understand bail processes because they do not present with visible disability. Young people at Bimberi Youth Justice Centre can fall into

patterns where their level of understanding is assumed and where disability is rarely considered when further incidents or repeated breaches occur.

This example illustrates why repeated breach should not automatically be interpreted as unwillingness to comply. It may indicate that the conditions were not understood, were unrealistic, were unsupported, or failed to take account of disability, learning needs, trauma or developmental capacity.

Example 4: Bail conditions may be impossible to comply with without practical community support

Through advocacy, ADACAS has seen that a person may be given bail conditions that are not realistic because the support needed to comply is not actually available. In one de-identified example, a person could not comply with conditions because of a lack of community support, including transport to appointments. A support plan existed, but there was no adequate consideration of how the person would get to appointments, access medication, or what would happen if community services expected to support the person withdrew.

This example illustrates why bail decision-makers must consider the practical support environment, not only the formal content of a plan. Bail conditions may be unreasonable if they assume transport, medication access, service coordination or community support that does not exist in practice.

Example 5: People may mask disability or mental ill-health until the system fails around them

Through advocacy, ADACAS has seen that people may not identify as having disability or mental ill-health and may mask their needs through court processes. The difficulty may only become visible later, when the person cannot keep up with bail conditions in the community because of lack of support, mental ill-health or other disability-related barriers.

This example illustrates why bail processes should not rely on self-identification or visible signs of disability. Low-threshold screening, accessible questions, communication support and advocacy referral are needed before conditions are imposed.

Example 6: Court adjustments can make participation safer and more accessible

Through advocacy, ADACAS has supported people to access the Court Disability Liaison Officer and disability-friendly remote access or witness suites. These spaces may provide a safer, quieter and more private environment for people with disability, including people who need reduced sensory stimulation, privacy, support to regulate or assistance to participate in court processes. Staff practice evidence noted that without advocacy support, people may not know that these options exist or how to access them.

This example illustrates why victims and accused people with disability need accessible information about court adjustments, disability liaison supports, communication support and advocacy pathways.

16. Conclusion

ADACAS supports the intent of the Bail Amendment Bill 2026. The Bill is an important opportunity to make bail decision-making more transparent, human-rights compatible and responsive to the lived realities of people with disability, people experiencing mental ill-health, children and young people, Aboriginal and Torres Strait Islander people, pregnant people and victims.

ADACAS particularly supports proposed section 22C because it recognises that disability and health conditions may affect a person's treatment and support needs, ability to understand rights and obligations, ability to make and communicate decisions, and ability to represent their interests.

However, ADACAS submits that the Bill must be strengthened to ensure these protections work in practice. People with disability, mental ill-health, cognitive impairment, learning disability, communication disability and trauma may not self-identify. They may agree to conditions they do not understand. They may breach conditions because the conditions are inaccessible, unrealistic or unsupported. They may be remanded because community supports are unavailable, rather than because custody is necessary.

ADACAS therefore recommends that the Bill be supported with amendments and implementation measures requiring routine low-threshold screening, accessible communication, supported decision-making, reasonable adjustments, advocacy and support people, realistic bail conditions, trained staff, referral pathways to suitably qualified assessment where needed, disability-responsive victim participation, intersectional guidance and transparent monitoring.

A fair bail system should not assume that people understand simply because they agree. It should not treat disability, mental ill-health or lack of support as reasons for custody where community-based support can manage risk. It should not set people up to fail through conditions they cannot understand or comply with. It should provide the communication support, advocacy, reasonable adjustments and practical safeguards needed for people to participate, be heard and comply with realistic conditions.

With these safeguards, the Bail Amendment Bill 2026 can better achieve its purpose: ensuring that bail decisions are informed, fair, practical, rights-based and responsive to the circumstances of people with disability, people experiencing mental ill-health, children and young people, victims and people with complex support needs.

ADACAS urges the Committee to recommend that these safeguards be embedded in the Bill, statutory guidance and implementation arrangements so that the reforms improve bail decision-making not only in principle, but in the practical circumstances where people with disability, mental ill-health and communication barriers most need protection.