



Submission cover sheet

Inquiry into the Bail Amendment Bill 2026

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PRESIDENT

Submission to the ACT Legislative Assembly Standing Committee on Legal Affairs

Inquiry into the Bail Amendment Bill 2026

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Overview of Submission

The Australian Multicultural Action Network (AMAN) welcomes the opportunity to provide a submission to the Standing Committee on Legal Affairs regarding the Bail Amendment Bill 2026. AMAN supports the intent of the Bill to clarify and codify matters that decision-makers must consider when making bail decisions, particularly concerning Aboriginal and Torres Strait Islander peoples, people with disability or health conditions, children, pregnant people, and victims of crime.

As an organisation representing culturally and linguistically diverse (CALD) communities, seniors, people with disability, newly arrived migrants, refugees, and multicultural families, AMAN believes this legislation presents an important opportunity to create a more equitable, evidence-based, and culturally responsive justice system.

Our submission strongly supports the Bill's objectives while recommending additional safeguards and reforms to ensure that vulnerable individuals are not disadvantaged due to disability, cultural background, language barriers, trauma, mental health conditions, or systemic inequities.

About AMAN

The Australian Multicultural Action Network (AMAN) is a community-led organisation committed to advancing social inclusion, accessibility, multicultural participation, health equity, disability inclusion, community resilience, and civic engagement.

AMAN regularly contributes to government consultations, parliamentary inquiries, policy development processes, and advisory committees across Australia. Through our engagement with diverse communities, we have observed significant challenges faced by vulnerable

individuals when interacting with justice systems, particularly where language barriers, disability, cultural misunderstanding, trauma, or social disadvantage are involved.

General Position

AMAN supports the Bail Amendment Bill 2026 and recognises the importance of ensuring that bail decisions are informed by a broader understanding of individual circumstances rather than relying solely on offence characteristics.

Justice outcomes are strengthened when decision-makers are equipped to consider:

- Individual vulnerability.
- Disability and health needs.
- Cultural circumstances.
- Community support structures.
- Family responsibilities.
- Risk factors.
- Rehabilitation opportunities.

The justice system must remain both fair and safe.

Public safety and individual rights should not be viewed as competing objectives. A modern justice system can achieve both.

Recommendation 1:

Recognise CALD Vulnerability as an Explicit Consideration

The Bill identifies Aboriginal and Torres Strait Islander people, people with disability, children, and pregnant persons.

AMAN recommends that consideration also be given to:

- Newly arrived migrants.
- Refugees and humanitarian entrants.
- Individuals with limited English proficiency.
- People experiencing cultural isolation.
- Individuals from refugee or conflict backgrounds.

Many CALD individuals face challenges that can directly affect their ability to comply with bail conditions, including:

- Limited understanding of legal processes.
- Language barriers.
- Low literacy.
- Lack of family support.

- Housing insecurity.
- Trauma-related conditions.

Decision-makers should be required to consider whether cultural or language barriers could negatively affect a person's ability to understand or comply with bail conditions.

Recommendation 2:

Strengthen Disability and Health Considerations

AMAN strongly welcomes the Bill's requirement to consider disability and health conditions.

However, we recommend broader guidance that includes:

Invisible Disabilities

Many disabilities are not immediately visible, including:

- Hearing impairment.
- Cognitive disability.
- Autism.
- Acquired brain injury.
- Intellectual disability.
- Psychosocial disability.

These conditions may significantly affect:

- Communication.
- Understanding of conditions.
- Ability to navigate legal systems.
- Compliance capacity.

Communication Accessibility

Before bail conditions are imposed, decision-makers should ensure:

- Information is provided in accessible formats.
- Interpreters are available.
- Hearing assistance technologies are available where required.
- Easy Read versions are available for people with cognitive disability.

Accessibility should be considered a core justice requirement rather than an optional support.

Recommendation 3:

Introduce Trauma-Informed Bail Assessments

Many individuals entering the justice system have experienced:

- Family violence.
- Childhood abuse.
- Homelessness.
- Forced displacement.
- War and conflict.
- Intergenerational trauma.

AMAN recommends that bail decision-makers receive training in trauma-informed practice.

Research consistently demonstrates that trauma can influence:

- Behaviour.
- Decision-making.
- Communication.
- Perceived risk.

A trauma-informed approach enables better assessment while improving community safety outcomes.

Recommendation 4:

Promote Community-Based Bail Support Programs

One of the strongest predictors of successful bail compliance is community support.

AMAN recommends the ACT Government establish a:

Community Bail Support Partnership Program

This initiative could involve:

- Multicultural organisations.
- Disability organisations.
- Community legal centres.
- Faith-based organisations.
- Youth support services.

Such partnerships could assist individuals by:

- Explaining bail conditions.
- Providing reminders.
- Supporting attendance at appointments.
- Facilitating transport.
- Connecting people to housing and support services.

This approach would reduce breaches while improving community safety.

Recommendation 5:**Utilise Technology for Bail Compliance**

The ACT has an opportunity to become a national leader in modern justice administration.

AMAN proposes the development of:

Smart Bail Support Tools

Examples include:

- Multilingual SMS reminders.
- Mobile applications explaining bail conditions.
- AI-supported translation tools.
- Digital check-in systems.
- Video-based explanations in community languages.

These technologies could significantly reduce unintentional non-compliance.

Importantly, technology should support individuals rather than create additional surveillance burdens.

Recommendation 6:**Address Victim Needs Through Restorative Approaches**

AMAN welcomes the Bill's recognition of victims' concerns and needs.

However, victim safety should be accompanied by opportunities for:

- Restorative justice pathways.
- Community healing approaches.
- Early intervention programs.
- Rehabilitation support.

Many communities seek outcomes that focus on prevention and healing rather than punishment alone.

A balanced justice system should support both victims and community rehabilitation.

Recommendation 7:**Establish Cultural Impact Statements**

AMAN proposes an innovative reform:

Cultural Impact Statements

Similar to disability assessments or pre-sentence reports, decision-makers could access brief cultural context reports where appropriate.

These statements may identify:

- Language requirements.
- Family responsibilities.
- Cultural obligations.
- Community support networks.
- Relevant barriers to compliance.

Such information would assist decision-makers in making informed and proportionate decisions.

The ACT could become the first jurisdiction in Australia to pilot this approach.

Recommendation 8:

Develop a Bail Equity Monitoring Framework

Good policy requires measurement.

AMAN recommends annual public reporting on:

- Bail outcomes by disability status.
- Bail outcomes by cultural background.
- Bail outcomes by age.
- Bail outcomes by gender.
- Bail breach rates.
- Bail support program effectiveness.

This data would allow continuous improvement and ensure accountability.

Future Vision: Justice 2030

AMAN encourages the ACT Government to adopt a broader long-term vision for justice reform.

By 2030, the ACT should aim to become Australia's most inclusive and accessible justice jurisdiction through:

Inclusive Justice

- Accessible legal information.
- Multilingual justice services.
- Universal communication access.

Digital Justice Innovation

- AI-assisted translation.
- Smart compliance tools.
- Digital support services.

Community Justice Partnerships

- Stronger collaboration with community organisations.
- Early intervention programs.
- Community-led prevention initiatives.

Equity-Based Decision Making

- Evidence-informed assessments.
- Cultural responsiveness.
- Disability inclusion.

Conclusion

AMAN supports the Bail Amendment Bill 2026 and commends the ACT Government for seeking to improve the consistency, transparency, and fairness of bail decision-making.

The Bill provides an important foundation for a more equitable justice system. However, further opportunities exist to strengthen outcomes for people with disability, CALD communities, children, vulnerable individuals, victims, and the broader community.

By embracing innovation, accessibility, cultural responsiveness, trauma-informed practice, and community partnership models, the ACT can establish itself as a national leader in contemporary justice reform.

AMAN remains committed to working collaboratively with government, justice agencies, community organisations, and affected communities to ensure that bail processes are fair, effective, inclusive, and focused on long-term community wellbeing.

Submitted respectfully on behalf of the Australian Multicultural Action Network (AMAN).

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President

Australian Multicultural Action Network (AMAN)