Dear \_\_\_\_\_\_\_\_\_\_,

My name is , and I am writing to you in your role as an elected Member of Parliament with a special responsibility as a member of the Cabinet.

Please register and consider my demand for the Andrews government to significantly and fully reform bail laws in Victoria.

I learnt about the horrific death of Veronica Nelson in Dame Phyllis Frost Centre Prison in January 2020 through the media during the coronial inquest. The police saw Veronica from far away and she stood out to them because she was Aboriginal. She was arrested on a question of shoplifting, she wasn’t violent, and she was refused bail due to the laws in Victoria. She was sick, withdrawing from substances is a dangerous time for people, and the nurse and prison guards ignored her pleading for help. She died on the floor in a prison without being convicted of any crime at all because of the laws about bail in Victoria.

The Coroner said in his findings into the passing of Veronica Nelson that Victoria’s bail laws are a “[complete and unmitigated disaster](https://vals.us17.list-manage.com/track/click?u=a78e091b36791e172cca18d98&id=e2e92414f7&e=6b1d5a7855)”.

Veronica’s life was valuable, and every human being deserves respect and care. The bail laws need to uphold the presumption of innocence and the use of prison as a last resort.

The bail laws that put Veronica Nelson in prison without a trial were the laws made by the Andrews gov in 2017-2018. These changes made it easier to lock people up before criminal charges are finalised and aimed to restrict access to bail for individuals accused of serious violent offences. This has had a catastrophic effect on Aboriginal and Torres Strait Islander people especially. The numbers of Aboriginal and Torres Strait Islander people in prison who have not even been sentenced is shocking. In June 2021, 51% of Aboriginal people in prison in Victoria were on remand, which means they haven’t been sentenced. This is much higher than the 32% of Aboriginal and Torres Strait Islander people prison on remand in June 2017 and 20% in June 2010 (VALS statistics). All of these numbers are too high. If there is a presumption of innocence until proven guilty, and considering that the vast majority of these people are accused of non-violent crimes like shoplifting, then why are we putting these people in prison without a trial at all? This is the opposite of what the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) recommended over thirty years ago.

My demands for changes to the bail laws are as follows.

1. Prison should only be used as a last resort.
2. Bail hearings need to be in person **and** start from the presumption that bail *should* be granted rather than the current onus of proof being on the person facing the hearing.
3. All individuals must have basic and adequate support to face a bail hearing, as you and I would both want for ourselves should we ever have the misfortune of having an accident or being suspected of shoplifting!
4. Bail decision makers have an obligation to genuinely consider someone’s Aboriginality. They need to have training in cultural awareness, enquire about Aboriginality, and they need to understand how and why Aboriginality is very relevant to the bail hearing.

Please print out and read the Victorian Aboriginal Legal Service’s (VALS) Policy Brief entitled ‘Fixing Victoria’s Broken Bail Laws.’ It is online at <https://vals73.wpengine.com/wp-content/uploads/2022/05/Fixing-Victorias-Broken-Bail-Laws.pdf>.

The full range of changes to bail law must be made.

I will not accept half measures.

I will only consider bail reform a success when the numbers of people in prison on remand at least below 20% of the total number of people kept in prisons, and when there are NO Aboriginal and Torres Strait Islander people in prison on remand.

Best,

Dear \_\_\_\_\_\_\_\_\_\_,

My name is , and I am horrified to learn about the cruelty inflicted by Victoria’s bail laws. As an elected Member of Parliament with a special responsibility as a member of the Cabinet, please register and consider my demand for the Andrews government to significantly and fully reform bail laws in Victoria.

I want the Andrews government to significantly and fully reform bail laws in Victoria. I want all the changes detailed by Victorian Aboriginal Legal Service’s (VALS) Policy Brief entitled ‘Fixing Victoria’s Broken Bail Laws’ to be made as soon as possible. This document can be found at <https://vals73.wpengine.com/wp-content/uploads/2022/05/Fixing-Victorias-Broken-Bail-Laws.pdf>.

There should not be people in prison without having even been tried – and especially not when they are arrested for non-violent crimes like shoplifting. It is unacceptable and clearly a result of racism that Aboriginal and Torres Strait Islander people are massively overrepresented in prisons and as people who are in prison on remand as well. Change the bail laws, and also make it a requirement that non-Aboriginal people working in the police, courts and prisons learn, really learn and understand why, they have an *obligation* to consider what Aboriginal people need when facing the courts and in prison. It is really time to stamp out racism in all the ways that we can – I ask for the immediate release of all Aboriginal and Torres Strait Islander people who are in prison on suspicion, untried, of all and any non-violent crimes.

I heard about Veronica Nelson’s death in Dame Phyllis Frost Centre Prison from the news. Did you see any of the footage? Veronica was in great pain because she was ill and withdrawing from opioids, which is hard and painful enough for people in my community even when they are not treated with disrespect. I saw the camera footage from inside the prison, where a prison worker squashed a blanket through the small hole in a big metal door to Veronica, and I saw that Veronica was cramping up so badly that she couldn’t put her hand through the hole in the door to receive the pain killers from the prison guards. They threw the medication to her.

Can you imagine doing that to someone? I felt so ashamed as if part of me had done it when I saw another human being act that way. And to do that to a tiny woman who is crying for help and cramping up so bad? To someone who is in a prison because police suspected her of shoplifting food?

All of this feels so unbearable to my mind. It doesn’t make sense. People should show basic care for each other. Even when some people need to be kept behind locked metal doors because they are very violent, but does anyone at all deserve to die on a bathroom floor alone in a prison? And without having even been to a trial? For suspicion of shoplifting based on the kind of backpack she was carrying (although for sure the fact that she was Aboriginal was part of that suspicion, come on)?!

I always think about these things as a person, you know? I wonder whether I could ever sit and watch a movie while someone I was being paid to care for *died* from my lack of care. But the Coroner said in his findings into the passing of Veronica Nelson that the biggest problem is that Victoria’s bail laws are a “[complete and unmitigated disaster](https://vals.us17.list-manage.com/track/click?u=a78e091b36791e172cca18d98&id=e2e92414f7&e=6b1d5a7855)” and need to be changed.

Now I see that the Greens and the opposition are all pushing Dan Andrews to seriously change the bail laws, and not just tweak them. It was Andrews’ government that made these bail laws in 2017-2018 to make it easier to lock people up before criminal charges are finalised, and to restrict access to bail for individuals accused of serious violent offences.

These changes have really hurt so many people who are put in prison for non-violent crimes. Especially Aboriginal and Torres Strait Islander people have been painfully impacted. These laws took Veronica’s life. In June 2021, 51% of Aboriginal people in prison in Victoria were on remand, which means they haven’t been sentenced. This is up from 32% of Aboriginal and Torres Strait Islander people in prison on remand in June 2017 and 20% in June 2010. All of these numbers are too high, and most of these people, especially Aboriginal women, are accused of non-violent crimes like shoplifting, so why are we putting them in prison without a trial at all? This is the opposite of what the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) recommended over thirty years ago.

My demands for changes to the bail laws are as follows.

1. Prison should only be used as a last resort.
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4. Bail decision makers have an obligation to genuinely consider someone’s Aboriginality. They need to have training in cultural awareness, enquire about Aboriginality, and they need to understand how and why Aboriginality is very relevant to the bail hearing.

Please print out and read the Victorian Aboriginal Legal Service’s (VALS) Policy Brief entitled ‘Fixing Victoria’s Broken Bail Laws.’ It is online at <https://vals73.wpengine.com/wp-content/uploads/2022/05/Fixing-Victorias-Broken-Bail-Laws.pdf>. This document outlines the full range of changes to bail law that I ask this government to make. I will not accept half measures. I will only consider bail reform a success when the numbers of people in prison on remand at least below 20% of the total number of people kept in prisons, and when there are NO Aboriginal and Torres Strait Islander people in prison on remand.