



COMMISSION FOR CHILDREN
AND YOUNG PEOPLE

Media Release

New bail laws will undermine community safety at the cost of vulnerable children and young people, children’s commissioners say

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The Commission for Children and Young People has today expressed grave concern about the impact on vulnerable children and young people of harsh new bail laws passed by the Victorian Parliament this week.

As Victoria’s independent statutory body with responsibility for oversight of the youth justice system, including Victoria’s youth detention centres, the Commission has unique insight into the harm that bringing more children into that system will cause.

‘It is clear these laws will capture vulnerable children and young people in numbers well beyond the small group of repeat, serious offenders the laws claim to target. It is also well-established that bringing more children into custody entrenches patterns of offending in those young people and ultimately makes the community less safe,’ said Liana Buchanan, Commissioner for Children and Young People, today.

‘We are deeply concerned about the increased number of children who will experience prison due to harsh “second strike” laws if they are on bail and commit even a minor further offence such as a shop theft or possession of drugs,’ added Meena Singh, Commissioner for Aboriginal Children and Young People.

‘Our unique role means we see the reality of vulnerable children and young people caught in a system that fails to account for their histories of abuse and trauma, and increasingly treats them as adults, despite their unique developmental needs,’ Commissioner Singh said.

Through its inquiries, Independent Visitor Program and monitoring of incidents in youth detention centres, the Commission has seen how changes in bail laws over the years have impacted children and young people in custody. Each one of these experiences of custody brings a child or young person closer to becoming entrenched in the youth justice system, and continuing into the adult criminal justice system.

The Commission’s 2023–24 annual report detailed a 503 per cent increase in the number of episodes of behavioural isolation in youth detention for that year. This was despite a drop in the average monthly number of children and young people in youth detention centres from 97 to 90 over the same period.

‘Despite the best efforts of many staff, youth detention centres are not places where rehabilitation occurs. Instead, detention exposes children and young people to more serious offenders, and the conditions of custody can exacerbate mental ill health and other drivers of offending. Being placed in



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custody represents a break in connection to important rehabilitative responses such as links to family and community, culture, education and other pro-social activities.’ Commissioner Singh said.

‘Victorians deserve to feel safe and we can all agree that the current approach is not effective. But solutions should be driven by the evidence of what works.’

‘Instead of sweeping laws to toughen bail, further investment is needed to strengthen assessments, interventions and supports that tackle the drivers of each child’s offending and effectively support prevention, early intervention and rehabilitation,’ Commissioner Buchanan concluded.

For interview

Meena Singh, Commissioner for Aboriginal Children and Young People

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