



## Urgent action - not a review - is needed to fix Victoria's 'broken' system, Liberal MP claims

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A 10-week review of Victoria's "broken" bail system is just 10 more weeks of innocent people becoming potential victims of violent crime, according to the state's shadow attorney general.

Mr John Pesutto said he welcomed an investigation into the bail system, but blamed the state government's "flawed" decision to weaken bail laws in 2016 for unleashing a wave of teenage crime.

Victoria Premier Daniel Andrews, whose office has come under incredible pressure following the Bourke Street massacre, today announced a ["no expense spared" wide-ranging review](#) of the bail system.

Although supportive of the premier's decision, Mr Pesutto questioned the need for such a report and instead demanded that "action needs to be taken immediately".

"We believe that we don't need to ask questions that we already have answered," Mr Pesutto said.

"We know how the public feel, and we feel the same way."

The Liberal Party MP was particularly scathing of the government's decision to retract a bail law his party had passed in 2014.

He accused the Andrews government of "legalising the breaching of bail by people under 18" in a bid to halt growing numbers of young people being held on remand. "It is now no longer an offence for someone under 18 to breach their conditions of bail," he said.

"Our bail system is broken and it needs a major overhaul. You can't fix bail and the catastrophic failures around bail with incremental approaches to change."

Mr Pesutto said accused violent offenders must face strong presumptions against getting bail.

His party was in favour of a "one strike policy", he said, where anyone who breaches bail conditions loses it.

"Throughout Victoria we have seen examples of Apex gang members repeatedly breaching bail, many of whom were under 18."

He brushed off civil liberty concerns that tightening of bail conditions would simply lead to a growing jail population.

"Community safety must come first. If it means putting people on remand so be it. Too many catastrophic crimes have taken innocent people's lives."

In November last year, a report showed Victoria's prison population has exploded by 67 percent since 2005.

The report, released by *Sentencing Advisory Council*, stated one prisoner in every three was behind bars without a conviction.

Since 2005, there had been a 154 percent increase in the number of unsentenced prisoners (those on remand awaiting trial or sentencing) and a 46 percent increase for sentenced prisoners.

"If a greater number of accused persons are to be held on remand, then the state will need to cope with housing more and more prisoners.

"It is hardly coping with prisoner numbers under the current bail regime," George Balot, a Melbourne-based criminal defence lawyer, told nine.com.au.

Mr Balot pinpointed the problem of bail justices making critical decisions about releasing accused persons, including violent offenders, on bail.

"Bail justices rarely have legal qualifications, legal experience, and often times scant knowledge of criminal law," Mr Balot said.

"They have very little, if any, training yet the power to make critical decisions about releasing accused persons who might be a danger to the community.

"Consequently the current system is fraught with problems."

Revelations police made a formal complaint about the man accused of the Bourke St massacre being granted bail just days before the rampage have led to outcry and a debate on law and order in Victoria.

After the 2012 murder of ABC staffer Jill Meagher, Victoria's parole laws were substantially tightened.

Former Director of Public Prosecutions Paul Coghlan, QC will lead the bail review, with a deadline of April 3 to provide the government with urgent advice on changes to the bail system.