



CALLS FOR URGENT BAIL REFORM AND INVESTMENT IN WRAP-AROUND SERVICES TO REDUCE THE UNACCEPTABLE NUMBER OF WOMEN BEHIND BARS

Smart Justice for Women, a coalition of leading legal, academic and community services is calling for urgent reforms to the Bail Act 1977 (Bail Act) to curb the skyrocketing rate of women in Victoria's prisons.

The number of women in Victorian prisons has doubled over the past decade, and tripled for Aboriginal and/or Torres Strait Islander women.

Speaking at the Inquiry into Victoria's Criminal Justice System (the Inquiry) Smart Justice for Women co-chair Elena Pappas told the Inquiry that the number of women held on remand, who are yet to have their matters dealt with by the courts, make up over half of the women in Victorian prisons.

"Any period in custody can have devastating impacts for women – interrupting important protective factors in the community including housing, rehabilitation, mental health supports and crucially, removing children from their care," Ms Pappas said.

Smart Justice for Women is calling for the urgent review for the Bail Act, including the repeal of reverse-onus provisions which have been a leading driver of the sharp increase of women in Victorian prisons.

Ms Pappas told the Inquiry these provisions have a disproportionate impact on marginalised women, and in particular Aboriginal and Torres Strait Islander women, essentially criminalising them due to poverty, homelessness and disadvantage.

"Bail decision-making should be primarily concerned with the risk that the person poses to the safety and welfare of the public, or to a particular person, rather than the risks associated with a woman's impoverishment, marginalisation or housing instability," Ms Pappas said.

Speaking alongside Ms Pappas, Elisa Buggy, Executive Officer of Flat Out Inc (a member organisation of Smart Justice for Women), called for greater investment in wrap-around support services for women in the community to prevent further criminalisation, and urgent reform across the criminal justice system to recognise the specific, gendered nature of women's pathways to criminalisation and incarceration.

"Fundamental to this is recognition of the pervasive nature of family violence, prior victimisation and trauma that have been experienced by a majority of women who are criminalised," she said.



Between 70 to 90 per cent of women in prison have experienced trauma and abuse prior to entering prison, including family violence and sexual abuse. Women in prison have higher rates of mental ill-health, substance abuse and homelessness than men. Women are also less likely to have committed violent offences and are more likely to be criminalised due to issues associated with drug dependence or poverty.

Ms Pappas also told the Inquiry more than half of the women in Victoria's prison system are mothers, and that consideration needs to be given to the intergenerational impacts of children being removed from their care.

Smart Justice for Women's full submission to Inquiry into Victoria's Criminal Justice System and its recommendations can be found [here](#).

For media inquiries please contact Elena Pappas at epappas@lacw.org.au.