

Media Release

Hon Jacinta Allan MP
Premier



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EVEN TOUGHER BAIL TEST TO KEEP VICTORIANS SAFE

The Allan Labor Government is going even further to strengthen Victoria's bail laws, prevent reoffending and keep the community safe.

Premier Jacinta Allan, Attorney-General Sonya Kilkenny and Minister Police Anthony Carbines introduced the *Bail Further Amendment Bill 2025* into Parliament today that will:

- Set out a **new bail test** for people accused of repeat, serious offending to protect Victorian families and deal with repeat, high-harm offending, and
- Create a **new second strike rule** for people already on bail who are accused of further offending, making it harder for them to get bail.

This builds on the changes we made earlier this year, which are already working. The number of bail revocations and people on remand has increased:

Toughest bail test yet

We have already made changes that are about reducing the risk of reoffending, but also ensure the justice system meets the expectations of the broader community – whose safety must come first.

We committed to a second tough bail Bill in the middle of this year because we know we need to go further and that is what we are delivering.

We are making it crystal clear – if you are charged with a serious offence while on bail for another serious offence, you will be subject to the toughest test in the country.

The tough new test will apply to those on bail for and charged again with any of the following offences:

- aggravated home invasion
- aggravated carjacking
- armed robbery
- aggravated burglary
- home invasion, and
- carjacking.

Subjecting people accused of repeat, serious offending to a new, tougher bail test increases the likelihood that bail will be refused and prevents re-offending.

Bail must be refused unless the decision maker is satisfied there is a high degree of probability the person will not commit one of these offences if bail is granted.

This test goes further than similar laws in New South Wales because it will apply to all ages and is permanent.

New second strike rule

These six serious offences are not the only crimes causing harm in our community. That's why we are introducing a second strike rule.

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In March, we introduced the stand-alone offence of ‘committing an indictable offence on bail’. This Bill builds on that work by uplifting the bail test for people accused of repeat indictable offending.

‘Uplift’ is where the bail test for a person accused of repeat offending is stricter than it would be for a person accused of an offence for the first time.

The offences that will be subject to the new uplift provisions include:

- Burglary
- Motor vehicle theft
- Assaults
- Robbery
- Riot and affray
- Firearms and controlled weapons offences
- Sex offences
- Serious drug offence
- Theft (\$2,500)
- Criminal damage (above \$5,000, or where damage is caused by fire).

These reforms are subject to key safeguards to mitigate any disproportionate impact on vulnerable people.

Certain lower harm offences committed while on bail like low-level drug possession will not be subject to uplift to avoid remanding vulnerable people unnecessarily.

This second Bill builds on the bail laws passed earlier this year that put community safety first in all bail decisions, introduced bail offences, removed the principle of remand as a ‘last resort’ for young people and elevated certain high-harm offences like knife crime into a tougher bail test.

This will result in a further increase in the number of adult and youth offenders on remand, for which the system must be ready. That’s why we’re hiring hundreds of new prison staff and bringing more prison beds online.

In total, almost 1,000 additional adult prison beds will open across the system, and a further 88 beds will open at Cherry Creek and Parkville youth justice facilities.

Quotes attributable to Premier Jacinta Allan

“We said we needed to go further under our tough new bail laws to keep Victorians safe and that is what we are delivering.”

“Victorians are rightly disgusted with repeated, violent offending. Now, our bail laws are the toughest in the country, because community safety will always come first.”

Quote attributable to Attorney-General Sonya Kilkenny

“These laws protect the community from serious repeat offenders who endanger Victorians, while ensuring vulnerable people aren’t unfairly caught up.”

Quote attributable to Minister for Police Anthony Carbines

“Our frontline police work hard day and night to keep the community safe — these tough new laws will back that work and send the strongest possible message to serious, repeat offenders.”