



GELLUNG WARL

The Hon. Ros Spence, Minister for Corrections
The Hon. Sonya Kilkenny, Attorney General
The Hon. Gabrielle Williams, Minister for First Peoples

Date 11/08/26

Submission of the First Peoples' Assembly– Corrections Amendment Bill 2026

The First Peoples' Assembly (Assembly) makes this submission under section 83 of the *Statewide Treaty Act 2025* (Vic).

The Assembly calls on the Victorian Government to immediately withdraw the Corrections Amendment Bill 2026 (Vic) (Bill) as it is inconsistent with the spirit and intent of Statewide Treaty.

This Bill seeks to deny the right of people in prison to spend one hour each day outside in the open air and sunlight. The vague excuse of 'operational considerations' should not be relied upon to erode the basic rights and conditions of all people in prison.

The Assembly shares the concerns raised by First Peoples Community experts, including those with lived experience. This Bill will have a disproportionate impact on First Peoples who continue to be significantly overrepresented in Victoria's correctional system. There are a significant proportion of First Peoples who are currently held in remand without a formal sentence, and First Peoples are vulnerable to systemic neglect and solitary confinement. This Bill seeks to deny a critical lifeline for First Peoples' wellbeing and prevents rehabilitation. It will compound the harms experienced by all people in prison.

The Assembly is deeply concerned that the Minister for Corrections concluded that the Bill is in part incompatible with Statewide Treaty – including that it fails to address the unacceptable disadvantage inflicted on First Peoples and limits the equal enjoyment of human rights and fundamental freedoms of First Peoples.

This acknowledgement is significant. It recognises that the Parliament is being asked to enact a law that is inconsistent with the commitments of Statewide Treaty. It undermines the renewed relationship between First Peoples and the State agreed to under Statewide Treaty. The disregard is not limited to Treaty commitments. The Bill also proposes to override the *Charter of Human Rights and Responsibilities Act 2006* (Vic) and exclude its application from the limitation on accessing open air.

The Yoorrook Justice Commission identified the need for structural reform of Victoria's justice system, including reforms that address the systemic causes of First Peoples over



representation in custody and to uphold self-determination. The Bill stands against those findings and recommendations of the Yoorrook Justice Commission. Yoorrook specifically recommended that the Victorian Government implement the United Nations Standard Minimum Rules for the Treatment of Prisoners on solitary confinement in all prisons and youth justice centres, and adequately fund and properly operate those facilities so that prolonged lockdowns for administrative or management reasons are ended. This is the very practice this Bill would instead entrench under the language of 'operational considerations'.

The Assembly urgently calls on the Victorian Government to withdraw the Bill and to listen to the First Peoples and justice experts who strongly oppose the Bill.

In accordance with section 83(2) of the *Statewide Treaty Act 2025* (Vic), the Minister for Corrections must respond to this submission within 60 days.

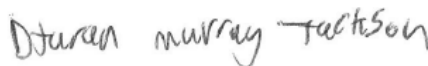
T'do,



Meriki Onus

Co-Chair, *First Peoples' Assembly*

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Djaran Murray-Jackson

Co-Chair, *First Peoples' Assembly*

