



Committee Secretariat
Legislative Scrutiny Committee
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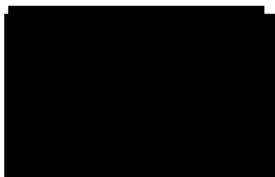
Dear Legislative Scrutiny Committee

The Australian Christian Lobby (ACL) is grateful for the opportunity to provide this submission to the Inquiry into the Sentencing Amendment (Murder) Bill 2026.

This submission is approved at ACL's national organisation level.

Thank you for giving our submission your careful consideration.

Yours Faithfully



Nicholas Lay
NT Director

Submission to the NT Sentencing Amendment (Murder) Bill 2026

AUSTRALIAN CHRISTIAN LOBBY

About Australian Christian Lobby

The vision of the Australian Christian Lobby (ACL) is to see Christian principles and ethics influencing the way we are governed, do business, and relate to each other as a community. ACL seeks to see a compassionate, just and moral society through having the public contributions of the Christian faith reflected in the political life of the nation.

With around 250,000 supporters, ACL facilitates professional engagement and dialogue between the Christian constituency and government, allowing the Voice of Christians to be heard in the public square. ACL is neither party-partisan nor denominationally aligned. ACL representatives bring a Christian perspective to policy makers in Federal, State and Territory Parliaments.

acl.org.au

1. Women are at greater risk of domestic violence during pregnancy

Domestic violence is indeed a significant problem in the Northern Territory as the Attorney-General, the Hon Marie-Clare Boothby articulated during her speech when presenting this bill. The Australian Christian Lobby supports measures to reduce domestic violence related incidents.

In tabling this bill, the Attorney-General stated, “We are serious about driving down the rates of domestic violence murders, and that is why I am bringing this Bill to the House today¹.” The Australian Christian Lobby supports this bill in placing domestic violence as one of the most serious categories of offending.

In attempting to drive down domestic violence in the Northern Territory, we must confront the issue that when women become pregnant, this often starts or escalates domestic violence.

The Australian Institute of Family Studies highlights in a policy paper² that:

- women are at an increased risk of experiencing violence from an intimate partner during pregnancy
- if domestic and family violence already exists, it is likely to increase in severity during pregnancy
- unintended pregnancy is often an outcome of an existing abusive relationship
- poor birth outcomes (such as low birth weight, premature birth) and post-natal depression are associated with domestic and family violence during pregnancy (This negatively impacts *Closing the Gap* target 2³).

The 2012 Personal Safety Study by the Australian Bureau of Statistics revealed that one quarter of partner violence commenced during pregnancy⁴. According to the 2021–22 Personal Safety Survey, an estimated 124,000 women, who had experienced violence by a current partner since the age of 15, were pregnant during the relationship⁵. Of these women, about 1 in 7 (15% or 18,000) experienced violence during their pregnancy.

¹ (2026, February 4) Draft Daily Hansard - Day 2 - 4 February 2026. Legislative Assembly of the Northern Territory, Darwin. Retrieved 2026, February 6, from <https://hdl.handle.net/10070/1027053>.

² <https://aifs.gov.au/resources/policy-and-practice-papers/domestic-and-family-violence-pregnancy-and-early-parenthood>

³ By 2031, increase the proportion of Aboriginal and Torres Strait Islander babies with a healthy birthweight to 91 per cent. Closing the Gap. Retrieved 2026, February 6, from <https://www.closingthegap.gov.au/national-agreement/targets>

⁴ (2013, December) Partner violence: Table 27A. Australian Bureau of Statistics. Retrieved 2026, February 6, from <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4906.0Chapter1002012>

⁵ (2025, July 30) Family, domestic and sexual violence, Pregnant People. Australian Institute of Health and Wellbeing retrieved 2026, February 6, from <https://www.aihw.gov.au/family-domestic-and-sexual-violence/population-groups/pregnant-people>

ACL's Recommendation: In addition to this bill, ACL recommends strengthening protections for the loss of an unborn child, to drive down domestic violence or any other criminal act by further amending the *Sentencing Act 1995* and *Criminal Code Act 1983* (further detail provided in section 5.).

2. Examples of the relationship between pregnancy and domestic violence in Northern Territory:

- During the Northern Territory inquest into the death of Jodie Palipuaminni⁶, we learnt that the relationship between the deceased and her husband, Trenton, deteriorated when Jodie fell pregnant with her first child. This highlights the increase in vulnerability of women when falling pregnant. In fact, Jodie experienced documented physical abuse multiple times during her pregnancies. Trenton's Community Corrections Officer recorded that he "*did not want to care for the child and that he resented having to do so*". Jodie's cause of death was "*intracranial haemorrhage with associated blunt head, chest and **abdominal trauma***". Jodie had been previously been "***punched by her boyfriend in the abdomen***". Jodie was in the **early stages of her third pregnancy when she was killed**.
- The Northern Territory Coroner recently published her findings⁷ into the deaths of Miss Yunupiju, Ngeygo Ragurk, Kumarn Rubuntja and Kumanjayi Haywood. The report highlighted evidence of abuse saying: "*on 16 September 2019, a very distressed Kumarn called Police to report that Mr Abbott had kicked her in the mouth, and that she was pregnant. When police arrived, she denied both of these things; however, her medical records confirm that she was in fact pregnant at the time.*"

3. Other Australian jurisdictions

In Australia, we have not seen law changes due to domestic violence specifically. This has occurred due to publicised criminal acts such as drunk/drug driving resulting in loss of pregnancy. These recent laws recognise the seriousness of the loss of the pregnancy upon the mother and family. These laws are applicable to incidents of domestic violence and non-domestic violence. Pregnancy can lead to or escalate domestic violence. Therefore, we believe that these laws need to be strengthened to safeguard against domestic violence or other criminal acts. Below is a brief overview of recent changes in New South Wales and Queensland.

⁶ Inquest into the death of Jodie Palipuaminni [2006] NTMC 083

⁷ Inquests into the deaths of Miss Yunupiju, Ngeygo Ragurk, Kumarn Rubuntja and Kumanjayi Haywood [2024] NTLC 14

The NSW Government passed the *Crimes Legislation Amendment (Loss of Foetus) Bill 2021*⁸. This law is known as 'Zoe's law'. The reforms were first proposed after Brodie Donegan, Brodie was hit by a drunk driver when she was 32 weeks pregnant with baby Zoe on Christmas Day in 2009⁹.

The new NSW offences in the Crimes Act 1900 are summarised below:

- **'Causing the loss of a foetus'** will apply to a wide range of criminal acts and carries a maximum penalty of 5 to 28 years imprisonment depending on the criminal act, i.e, whether it involves dangerous driving causing grievous bodily harm or grievous bodily harm with intent to injure the pregnant woman.
- **'Causing the loss of a foetus (death of pregnant woman)'** can be a homicide offence (such as murder, manslaughter, dangerous driving occasioning death) where the foetus is lost and the pregnant woman is killed due to a third-party criminal act. This offence carries a maximum penalty of 3 years imprisonment and applies in addition to the maximum penalty for the homicide offence.

The NSW law only applies to a baby which has reached at least 20 weeks gestation or 400 grams, though in the Northern Territory we recommend making the law applicable to all gestational ages and weights.

Queensland

The QLD Government passed an omnibus bill titled the *Justice and Other Legislation Amendment Bill 2023*¹⁰ which included an amendment known as 'Sophie's law'. Sophie's Law, was named after Sophie Milosevic, the unborn baby who died in vitro at 39 weeks gestation as a result of a car accident in which a drunk and drug-affected driver ploughed into the Milosevic family car in 2014. The driver of the other car received just a \$950 fine and had his licence suspended for five months, due to Queensland laws not recognising Sophie's life as a factor during his sentencing¹¹.

This bill resulted in amendments to the Criminal Code, the Penalties and Sentences Act 1992 (PS Act), the Youth Justice Act 1992 and the Victims of Crime Assistance Act 2009 (VoCA Act) to better recognises unborn children who are killed as a result of criminal conduct.

⁸ <https://www.parliament.nsw.gov.au/bills/Pages/bill-details.aspx?pk=3909>

⁹ <https://www.abc.net.au/news/2021-11-20/nsw-parliament-passes-zoes-law/100636536>

¹⁰ <https://www.parliament.qld.gov.au/Work-of-Committees/Committees/Committee-Details?cid=170&id=4258>

¹¹ <https://www.couriermail.com.au/truecrimeaustralia/police-courts-qld/sophies-law-explained-how-does-it-work/news-story/e9e28eaf9609868a9530f80f731051a2#:~:text=Amendments%20to%20the%20Criminal%20Code,and%20Attorney%2DGeneral%20spokesman%20said.>

This law has no gestational or weight requirements, which is excellent. However, a recent incident indicates the Queensland approach has not been strong enough. The law was recently tested in court when a 17-year-old crashed into a pregnant mother who lost her baby at 25 weeks gestation. Unfortunately, the driver responsible only received community service¹².

4. Northern Territory's current laws

The Northern Territory currently has section 170 *KILLING UNBORN CHILDREN* in the *Criminal Code Act 1983*. A past Member of the Northern Territory Legislative Assembly for the seat of Blain, who is also an ex-Northern Territory Police Officer, argued in 2024 that the current section is complex, outdated, vague, with interpretation challenges potentially leading to prosecutions not being brought¹³. He tabled a bill that he believed would rectify this problem¹⁴.

5. Potential amendment/s for the Northern Territory to adopt or be guided by:

Below are some suggested principles that could be adopted in the Northern Territory.

- I. **Add an aggravating circumstance to assault under 188(2) of the *Criminal Code Act 1983* to include 'being pregnant' or similar.**
- II. **Add to the definition of 'serious harm' under section 1 of the *Criminal Code Act 1983* to include 'endangers or is likely to endanger an unborn child's life' or similar.**
- III. **Include suggested amendments of section 170 detailed in *Criminal Code Amendment Bill 2024 serial 114*¹⁵.**
- IV. **Amend 6A *Aggravating factors of the Sentencing Act 1995* to include: In determining the appropriate sentence for an offender convicted of a relevant serious offence committed in relation to a pregnant person that resulted in destroying the life of the person's unborn child, the court must treat the destruction of the unborn child's life as an aggravating factor, unless the court considers it is not reasonable because of the exceptional circumstances of the case.**

This inquiry seeks submission on the Sentencing Amendment (Murder) Bill 2026 which makes amendments only to the *Sentencing Act 1995*. Our recommendation to this inquiry involves amendments to both the *Sentencing Act 1995* and the *Criminal Code*

¹² <https://www.youtube.com/watch?v=7nYxyQbulvo>

¹³ (2025, March 20) Debates and Questions - Day 3 - 20 March 2025. Legislative Assembly of the Northern Territory, Darwin. Retrieved 2026, February 6, from <https://hdl.handle.net/10070/1002680>.

¹⁴ https://legislation.nt.gov.au/en/LegislationPortal/Bills/~link.aspx?_id=F626D496A698446888CEBA562C46B288&_z=z

¹⁵ https://legislation.nt.gov.au/en/LegislationPortal/Bills/~link.aspx?_id=F626D496A698446888CEBA562C46B288&_z=z



Act 1983. This is the decision of the Attorney-General on how best to adopt our recommendations through amendments, a replacement bill or an additional bill. We hope that all parties in principle can see the need to better protect mothers and the unborn from domestic violence and all other criminal acts. We sincerely hope these recommendations are carefully considered and adopted by the Legislative Scrutiny Committee, Attorney-General and Legislative Assembly.