

Submission for the Domestic and Family Violence and Victims Legislation Amendment Bill 2025

The Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council (NPYWC) writes a submission in response to the **Domestic and Family Violence and Victims Legislation Amendment Bill 2025**.

Who are we?

NPYWC is an Aboriginal Corporation that advocates for Anangu in the Ngaanyatjarra, Pitjantjatjara, and Yankunytjatjara (NPY) region and is a major provider of human services for the NPY Lands. The NPY Lands span the tri-state Central Desert region of South Australia, Western Australia and the Northern Territory, covering 350,000sq km and encompassing 26 remote communities and homelands, with an overall population of around 6,000 Anangu (Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara people).

Annexed and labelled "A" is a map of the region. Our core purpose is to work with women and their families of the NPY region to increase their capacity to lead safe and healthy lives with improved life choices. NPYWC provides health, cultural and community service projects, and are often the only service provider responding to a particular need in these 26 communities. **Annexed and labelled "B"** is a painting by M.W (deceased) that tells the story of the time Anangu women came together to form their own Women's Council and be seen and heard during the Pitjantjatjara Land Rights movement.

NPYWC's Domestic and Family Violence Service (DFVS) is informed by the [Strengthening Community Capacity to End Violence \(SCCTEV\) framework](#) (2018) which was developed in collaboration with the Australian Childhood Foundation. This document reflects the way that NPYWC engages with communities in acts of reflection, dialogue and resistance to family, domestic and sexual violence, its effects and its causes. NPYWC's response to the proposed reforms draws from this framework.

Our Submission

We welcome the opportunity to provide a submission in response to the Domestic and Family Violence and Victims Legislation Amendment Bill 2025 (the bill).

However, we note that the period for submissions was very short – with invitations to submit being sent on Wednesday 26th March and the submission period closing on Friday 4th April. This limited timeframe puts increased pressure on an understaffed and under-resourced domestic and family violence (DFV) sector and does not reflect the stated priorities of the NT Government to work closely with the sector in its reform agenda. There has been little to no consultation with victim-survivors and Aboriginal Controlled Community Organisations (ACCOs) which is in conflict with Attorney-General Marie-Claire Boothby's statement, "we are putting the rights of victims above the rights of offenders".¹ Without meaningful consultation with victim-survivors and the

¹ <https://createsend.com/t-t-34104D128D76BB9B2540EF23F30FEDED>

DFV sector, the bill does not reflect the needs and priorities of those it purporting to safeguard.

There is a serious lack of evidence supporting the bill and indeed the existing evidence strongly states that that mandatory sentencing for DFV should not be implemented. Insufficient evidence was provided during the Legislative Committee held on 1st April 2025 regarding data to support the decision behind an increase in mandatory sentencing. Representatives from the NT Attorney-General's Department were not able to provide information about how the removal of judicial discretion may impact other options for rehabilitation such as mandatory engagement with a men's behaviour change program. Without sufficient increase in men's violence prevention programs alongside corrective measures, we will not see a decrease in the rates of DFV. Mandatory sentencing reforms will exacerbate existing problems without addressing the root causes of offending and the social determinants that predict violence in communities. As NPYWC has long advocated, increasing incarceration is not the answer, it will not keep women safe in the long term and risks doing more harm than good.

Real, meaningful progress in addressing DFV cannot be achieved if we continue to repeat past measures that evidence has shown are ineffective, unprincipled, unfair, and unjust. The merits of mandatory sentencing in the NT for breach of domestic violence orders (DVOs) was specifically examined by the 2021 Northern Territory Law Reform Committee (NTLRC) and recommended to be repealed. The Committee was cognisant to the legitimate concerns in the community over incidents of DFV and therefore considered whether mandatory sentencing was a necessary and effective way to manage such offending. The Committee ultimately found that mandatory sentencing was "unprincipled, unfair and unjust."² Pursuing this reform further delays progress, forcing organisations to work to again undo ineffective measures rather than implement urgently needed and evidenced based recommendations.

To better support the prevalence of DFV impacting Anangu and their families, NPYWC supports alternatives to sentencing options that are informed by specialist expertise on DFV and led by ACCOs as well as justice reinvestment and community justice programs recommended in the NTLRC report.³ Equally, we advocate for an increase in funding toward community-led initiatives that focus on rehabilitation, healing and strengthening community's capacity to end violence.

NPYWC's ability to leverage existing community knowledge and strengths to design localised programs are central to harm reduction and healing and are underpinned by a whole of community approach. Examples of this include the DFVS' Malparara-Malparara (MM) Project. The project is a multigenerational, Anangu led initiative that brings together women who have lived and living experience of DFV. The Malparara-Malparara project is currently focused on facilitating healing and early intervention camps out bush which target young mothers. The MM group members are supported to facilitate this work with their own families and communities, drawing on the combined strengths of their cultural knowledge and the training they have undertaken in trauma-informed practice. NPYWC's Uti Kulintjaku (UK) Watiku ('Men') Project works within a similar model and also centres work with young people:

"Just as I've learned from my grandfather, [the Uti Kulintjaku Watiku Project] enables me to educate my grandsons in a really good way... young men are listening and understanding and really taking on board the things that they need to survive well into the future, to live." (Senior Uti Kulintjaku Watiku team member, 2021)

² [Final Report - Mandatory Sentencing and Community-based Sentencing Options](#). NTLRC (2021)

³ Ibid.

It is well known that imprisonment increases the risk of reoffending and often entrenches underlying issues by worsening employment prospects, health outcomes, and eroding connection to Country, culture and kin. Mandatory sentencing often leads to unintended and damaging consequences for Anangu and their families. This bill does not recognise the failure of imprisonment as a means to address the drivers of offending. For NPY communities, particularly in a remote and very remote context, we need a comprehensive and evidence-based approach—one that prioritises prevention and healing, is rooted in the priorities and self-determination of Anangu, and genuinely keeps women and families safe.

"More talking less jailing. There needs to be a bush bus waiting outside the prison for our men, to take them back home to country to work with whole family, otherwise they stay in town (Alice Springs) and go back into prison." (NPYWC Director, Ms Smith 2025)

When mandatory sentencing was last enforced in the NT it had negative consequences for victim-survivors and their families.⁴ We know from experience that the risks to women's safety increase around times of separation and release from prison, and we are deeply concerned that rushed reforms without consultation will result in an increased risk of homicide for NT women. Equally, mandatory sentencing has been shown to increase women's incarceration rates alongside men's and disproportionately impacts First Nations women.⁵ Removing judicial discretion undermines the Court's ability to respond to submission of misidentification in sentencing which could mean women most in need of the justice system's protection are instead alienated and criminalised. Aboriginal women face higher risks of misidentification. In 2022 the Queensland Women's Safety and Justice Taskforce explicitly identified misidentification as a key driver of Aboriginal women's incarceration. The 2017 Australian Law Reform Commission (ALRC) Report *Pathways to Justice—Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples*⁶, identified that there are high rates of family violence and sexual abuse experienced by incarcerated Aboriginal women.

With jails already at capacity (the NT is the most imprisoned jurisdiction in Australia), a crisis in our criminal justice system is unfolding, compromising the basic human rights of Territorians as they relate to visitation rights, professional access, program delivery and rehabilitation, among others. Further, recidivism becomes more likely under this reform – already 6 out of 10 prisoners will return to jail within 2 years of release in the NT.⁷ We urge the NT government to shift its focus toward supporting frontline services that address the drivers of violent behaviour and explore alternatives to imprisonment to ensure women's safety.

Although there is deep concern for the proposed changes to mandatory sentencing, NPYWC agrees that an improvement to victims' access to information about offenders at the Crime Victims Services Unit (CVSU) has merit as it enhances victim-survivors' access to information about offenders who are not sentenced to prison. However, there has been a lack of consultation with victim-survivors about this change and their input is essential for this bill to have any meaningful impact. The proposed amendments to the *Victims of Crime Assistance Act 2006* does not address the significant barriers faced by Anangu when seeking compensation including lack of access to culturally safe support services and complex and protracted application processes. There is little understanding of how this would be operationalised (i.e. funded and resourced) and an explanation hasn't been provided around the process for when the CSVU are unable to contact a registered person and how the information is prioritised for those deemed high risk. Adequate funding for Aboriginal Community Controlled Family Violence Prevention Legal Services is required to support Aboriginal women in registration and notification in a culturally safe way.

⁴ Ibid.

⁵ [Media Release: NT Government's move to reintroduce mandatory sentencing won't keep women safe - Justice Reform Initiative | Jailing Is Failing](#)

⁶ *Pathways to Justice – An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples*. ALRC Report 133 (2017)

⁷ <https://www.pc.gov.au/ongoing/report-on-government-services/2025/justice>

Further, it is important that the benefit of increased funds achieved through increasing the victims levy result in a direct benefit to victims' survivors who are most in need. Further information is required on the use of this levy for the sector to assess how it centres women's agency and victim-survivor led solutions. NPYWC are also concerned that the proposed amendments to Section 24 that redefines 'Assessors' without specifying minimum qualifications will reinforce power imbalances and obstruct Anangu's access to justice even further. Assessors without legal training should not be making complex decisions about victim compensations. We recommend that minimum legal qualifications remain for all assessors, and that cultural competency and language/interpreter requirements are embedded to ensure appropriate rights-based access to the scheme and preventing miscarriages of justice.

Our Priorities

Regional Needs & Cross Border Support

Any reform must consider regions in accordance with the communities they service, such as the NPY Lands. Framing solutions by Western defined state and territory boundaries disenfranchises the pursuit of Anangu living well on Country. In the NPY Lands, community members travel frequently between jurisdictions. Women travel to other communities and use physical space and specific relationships to increase their safety. Utilising cross-jurisdictional collaboration and advocating for a national, culturally safe DFV risk assessment tool will assist service collaboration to responses with services using the same language around safety.

Basic Unmet Needs

DFV has underlying drivers that are of a structural nature. Anangu's capacity to curb DFV and adult incarceration rates linked to DFV, for example, is severely impeded by the experience of entrenched disadvantage. A genuine commitment must be made from government to address systemic, structural violence such as poverty and homelessness. Efforts in prevention, intervention, and healing are restricted when basic needs remain unmet. Our service has observed how poverty can act as an exacerbating factor to DFV. NPYWC often sees women engaging more frequently with our Domestic & Family Violence Service (DFVS) when they face a lack of food and money. Further, safety as a basic need is deeply neglected in national Closing the Gap (CTG) measurements encapsulated in Target 13 relating to DFV. There is a failure on behalf of the NT Government to adequately collect and monitor the data which contributes to outdated, unreliable and inconsistent data across jurisdictions. This ultimately undermines the entire CTG framework when DFV is one of the key determinants in measuring success in other targets.

Funding Aboriginal Controlled Community Organisations (ACCOs)

Unfortunately, despite multiple levels of Government agreeing to implement measures to increase the proportion of services delivered by Aboriginal and Torres Strait Islander organisations, particularly community-controlled organisations, not enough funding is allocated to organisations such as NPYWC to meaningfully contribute to change and transformation in our communities. When funding decisions are made, they are often made without consultation with communities and remain episodic in their delivery, further undermining the strength of ACCOs and their ability to enhance their expertise and positive outcomes on the ground. We note that there is still no information available about how the NT Government intends to distribute the extra \$180 million it committed to provide to the NT DFV sector as an election promise in 2024.

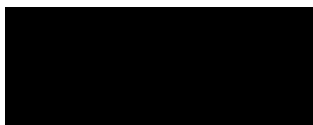
Conclusion

The NT Government must learn from the evidence informing the failure of mandatory sentencing and increased incarceration and ensure that any legislative changes to address DFV do not further harm

vulnerable populations, particularly those we represent in remote communities in the NPY Lands. Any changes to legislation must be balanced with greater and targeted investment in community programs and First Nations-led initiatives that work to address offending behaviours – and keep women and families safe – in the long term.

This concludes NPYWC's submission in response to the **Domestic and Family Violence and Victims Legislation Amendment Bill 2025**. Thank you for providing NPYWC the opportunity to make comment and please do not hesitate to contact us if there are any further questions about what we have raised in this submission.

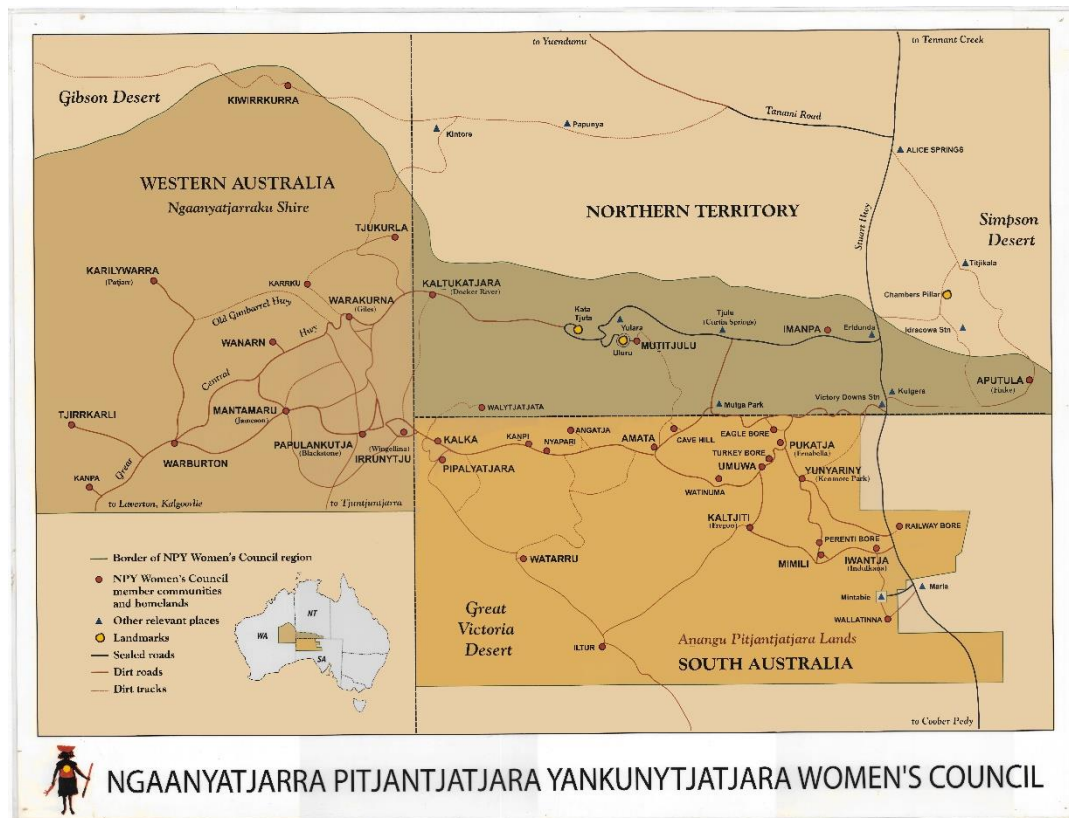
Kind Regards,



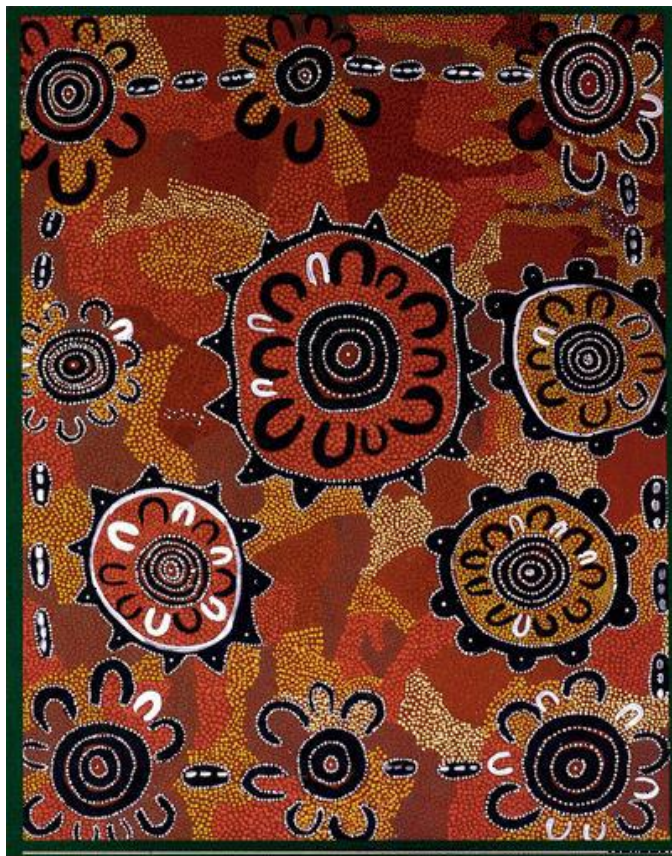
Liza Balmer
Chief Executive Officer
4 April 2025

[NPYWC Annual Report 2023-24](#)
[NPYWC Strategic Plan 2024-2029](#)

Annexure A:



Annexure B:



"This painting tells the story of how the NPY Women's Council was started in 1980. I made a cassette tape and sent it around to all the communities for women to listen to. The black line going around the painting with the white marks is the cassette travelling around to all the women in communities.

All the women listened to that cassette about the idea of starting up a Women's Council. They sat down and talked together. Then we all came together at Kanpi to have our first meeting together. That is the big circle in the middle with all us women sitting around. This was the first time we came together, all us Pitjantjatjara, Ngaanyatjarra, Yankunytjatjara women." - Mantatjara Wilson (deceased)