

1. How many Domestic Violence Orders are in effect on any given day in the Territory?

As at 31 January 2025, we estimate that 6317 persons had an active Domestic Violence Order (DVO).

This is 'estimated' because interim orders do not have an expiry date, and determining whether interim orders are still active requires substantial checking against other data, such as further orders and listings in the case. Interim orders with no further action in the case since 31 January 2025 have been excluded.

2. In terms of the mandatory sentencing aspect of the Bill, how will that change the impact of judges to order offenders to attend a men's behaviour change program?

The Judges' ability to order an offender attend a men's behaviour change program is unaffected.

The Court retains discretion regarding the conditions it imposes, if they decide to impose conditions. The Court must impose a term of actual imprisonment, the form of which will be determined by the Court in accordance with the requirements of section 78CB of the *Sentencing Act 1995*. Section 78CB requires the Court to record a conviction against the offender and sentence the offender to a term of imprisonment. It also allows the Court to suspend part of the sentence or impose an Intensive Community Correction Order (ICCO) with a home detention condition.

3. What data can you provide regarding the usefulness of mandatory sentencing in our current system?

There is a general absence of longitudinal data on long term effects of mandatory sentencing in the Northern Territory. However, in the context of domestic and family violence offending, mandatory sentencing may act as a circuit breaker and allow for victim support services to be put in place. Section 78CB of the Sentencing Act also allows for offenders to receive order conditions to participate in behavioural change programs.

In the 2022-23 financial year, 172 men participated in a men's behaviour change program administered by the Department of Children and Families¹.

¹<https://families.nt.gov.au/domestic,-family-and-sexual-violence/mens-behaviour-change-programs>

4. What data is there that might show that mandatory sentencing assists with domestic, family and sexual violence resolution?

The effect of mandatory sentences for DVO breaches is often likely to be overshadowed by the impact of other sentences received simultaneously. For example, individuals charged with a breach of a DVO are frequently also charged

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with aggravated assault. In such a case, the mandatory sentence for the breach of DVO may be only a small additional period compared with the assault sentence. There are several interrelated considerations which mean data is unlikely to clearly measure the impact of a mandatory imprisonment sentence for breaches of a DVO in isolation.

5. What evaluation will you do in terms of the impact of this Bill?

The Attorney-General's Department is preparing to monitor a number of legislative amendments and policy initiatives related to the government's plans regarding crime reduction.