

Ms BOOTHBY (Attorney-General)(in reply): Madam Speaker, I thank members for their contributions in this debate and their support of this Bill. I thank the Legislative Scrutiny Committee for its careful consideration of the Bill and its report that I received on 29 April 2025. I am pleased to see that the committee has recommended that the Bill be passed with some amendments, and I will discuss those recommendations and the amendments further in my summing up.

I am proud to have introduced, and now oversee the passage of, this Bill. These amendments will introduce crucial changes to hold DV offenders to account, protect DV victims and provide additional funding and support to DV victims, specifically victims of crime and generally.

Under Labor the Northern Territory became the jurisdiction with the highest rates of domestic violence in Australia, with an intimate partner homicide rate seven times higher than the national average. The CLP made a commitment before the 2024 election to reduce crime and address community safety, and this Bill is a step towards achieving that commitment with respect to domestic and family violence.

Domestic violence offending remains high in the Territory. It is a matter of grave concern, particularly for vulnerable members of our community. Therefore, as part of the development of this important legislation, our government listened to the community and victims who were crying out for strong government action in light of women being bashed and killed by their partners. As part of the consultation process, our government sent this Bill to the Legislative Scrutiny Committee, which received extensive submissions. We thank everyone for taking the time to provide their input into the Bill. All recommendations are broadly supported by our government, subject to some minor variations.

Recommendation 1 of the committee is that the Bill be passed with the amendments proposed. Recommendation 2 proposes that the approved financial assistance form lodgement process and any associated policy or guidance materials be reviewed to ensure the process is easy to navigate, flexible, simple and accessible for those who face English and digital literacy barriers or digital accessibility challenges. This recommendation will be addressed operationally by the Crime Victims Services unit of the Attorney-General's department.

It is intended that any new application form lodgement process will be included in a community of practice project, which the Crime Victims Services unit intends to commence in 2025, which will encourage and support collaborative support for victims of violent crimes.

Recommendation 3 proposes section 24 be amended to provide that the director must not appoint a person to be an assessor for the victims financial assistance scheme unless the person has the skills, qualifications, training and experience to properly perform the role. Our government supports this recommendation, excluding the reference to qualifications. Consultation with the Crime Victims Services unit confirmed that there is no requirement for the word 'qualifications' because there is no formal requirement for qualifications as the role of the assessor in the future.

This has not watered down the training requirements, which is the crux of the committee's recommendation, and I will propose those requirements are included by way of Assembly amendment.

The final recommendation, which is recommendation 4 of the committee, is that the explanatory statement be amended to clarify the policy intent of the amendments to section 24 and explain fully the extent of the proposed amendments to section 24. We are further amending section 24 by Assembly amendment.

I will propose an amendment to correct a drafting error in the commencement clause, which is clause 2. The Assembly amendment will amend the incorrect reference to section 21 to correctly read 'section 14'. Section 14 amends section 61 of the *Victims of Crime Assistance Act 2006* with respect to the imposition of the Victims of Crime Levy. The amendment changes monetary amounts to revenue units. It is appropriate this amendment commence on 1 July 2025, the start of the financial year.

The Assembly amendment will ensure the correct section, which is section 14, commences on 1 July 2025 rather than on assent like the rest of the Bill.

The Legislative Scrutiny Committee recommended the Bill be passed with a further amendment to section 24 of the *Victims of Crime Assistance Act 2006* which is aimed at ensuring that assessors are appropriately trained to perform their role. I will be proposing an amendment of that nature during the Bill's consideration in detail stage. The new provision will include a requirement that the director may, in writing, appoint a person to be an assessor for the financial assistance scheme if the director is satisfied that the person has the appropriate skills, training and experience to perform the functions of an assessor.

The committee also recommended the explanatory statement be amended to clarify the policy intent of the amendments to section 24 and to explain the full extent of the proposed amendments. It is common practice for the explanatory statement to mirror the Bill which was originally introduced into the Legislative Assembly, and ordinarily if a clause is amended by an Assembly amendment the explanatory statement is not updated.

The amendments proposed in clause 13 amend section 24 of the *Victims of Crime Assistance Act 2006*. Section 24 provides for the appointment of assessors for the purpose of conducting assessments of applications for financial assistance. Currently, assessors must be appointed by the minister and must be a lawyer. The director can also be appointed as an assessor.

Clause 13 is primarily aimed at removing the requirement that a victim of crime assessor be a lawyer. The new provision specifies the persons who are considered assessors for the financial assistance scheme. These will still include the Director of the Crime Victims Services Unit; a person authorised under the *Law Officers Act 1978* to act in the name of the Solicitor for the Northern Territory generally, which means the lawyers within the office of the Solicitor for the Northern Territory; and a person appointed by the Director of the Crime Victims Services Unit under subsection (2).

Subsection (2), as amended by the Assembly, will allow the Director of the Crime Victims Services Unit to appoint a person, in writing, to be an assessor for the financial assistance scheme if the director is satisfied that the person has the appropriate skills, training and experience to perform the functions of an assessor. The requirement that assessors are lawyers has been removed. The requirement that additional assessors are appointed by the minister has also been removed. The director may now appoint assessors, provided they are satisfied that the person has the skills, training and experience to perform the role.

These amendments to section 24 of the *Victims of Crime Assistance Act 2006* will broaden the scope of available assessors, allowing flexibility within the Crime Victims Services Unit to address variations in the number of claims at any one time.

The crux of the Legislative Scrutiny Committee's recommendation is that the assessors satisfy necessary training requirements, and this is addressed by the Assembly amendment.

Domestic and family violence grew out of control under eight years of Labor, which removed mandatory sentencing for domestic violence offences and put the rights of victims beneath the rights of offenders. The reintroduction of mandatory sentencing is a clear indication of our commitment to addressing domestic and family violence. Examples of how these new mandatory sentencing laws will work in practice are as follows.

When an offender has a DVO placed on them and they text, call or turn up at the victim's house, either in a single day or over the course of a few days or weeks, those multiple breaches of the DVO will be brought before the court and the offender will be sentenced to actual imprisonment. This will ensure that they understand the court takes these orders seriously and the offender gets the message.

In this example, that offender now has a history of breaching a DVO. If they breach a DVO again, they are captured by mandatory sentencing and are once again required to serve a term of actual imprisonment and will face an even longer time in prison.

Finally, if an offender breaches a DVO and threatens to harm the victim, or actually causes harm to the victim, they face a maximum sentence of five years actual imprisonment.

With the passing of these new laws, the Northern Territory will have the strongest and most robust mandatory sentencing domestic and family violence laws in the nation. These new laws will ensure offenders are put behind bars. When the offender is behind bars, the victim is safe.

Criticisms from the opposition are that mandatory sentencing is not an evidence-based approach to deterring DV offending; mandatory sentencing does not work; and deterrence from crime through punishment does not work. Data suggests otherwise. In a study produced by the Western Australian Law Reform Commission, which looked at the effectiveness of Western Australian mandatory sentencing laws for certain property crime, the data shows a 40% reduction in car theft and a 30% decrease in break-ins. Clearly, that is working.

A study produced by Dr Ben Vollaard in the Netherlands, titled *Preventing Crime through Selective Incapacitation*, tracked criminal laws that allowed for significantly longer prison sentences—up to 10 times the usual duration—for offenders with a history of multiple offences. The study found that cities that applied

the law experienced a 25% reduction in theft rates, with the most intensive applications resulting in up to a 40% decrease. This is evidence that punishing offenders leads to a decrease in crime.

Our government understands that DV is often shaped by many complex factors like trauma, substance abuse, poverty and emotional and mental health issues. Under our mandatory sentencing laws, if an offender breaches a DVO they will receive a term of actual imprisonment. That sentence of imprisonment can include an intensive Community Corrections order, which can mandate that an offender undertakes behavioural programs and rehabilitation.

This is why we have given the court the tools to send high-risk and repeat offenders to prison where they can engage in programs when inside and, once out, as part of their sentence. They will continue to be required to engage in programs by the court and intensively case managed to reduce risk of offending and risk to the victim. With this approach, we have balanced our consequences with rehabilitation.

This is in addition to the funding allocation to the Circuit Breaker Program which includes \$6.6m ongoing which will tackle these root causes; as well as our \$12.9m to boost school attendances through the school attendance officer program; and our \$3m allocated to for the school-based police program.

I have heard members today talk about payback and the risk of offenders reoffending on release. I refute the idea that we cannot hold offenders accountable for their actions because they may reoffend. The truth is they are already reoffending. What the opposition is saying is, 'Do not hold violent offenders accountable because that will make them angrier for the inconvenience of having to be held accountable and go to prison'. This is not a criticism that I take seriously. We will not be dictated to by these violent offenders and keep these vulnerable women in a culture of silence through violence.

This type of criticism was sadly put forward by many. To them I say that they may need to re-evaluate their outlook on this issue because recommending that we do not punish offenders because they might then hurt their victims more is allowing victims to be held at ransom by violent thugs. We will not allow that to happen.

If the offender is behind bars the victim cannot be hurt and has the opportunity to get a better situation and seek help and support. The logic is simple: if the offender is behind bars the victim is safe. Our increased support of victims' services and support will ensure victims are safe, even when the offender is released ...

Ms Uibo interjecting.

Madam SPEAKER: Opposition Leader, please be quiet.

Ms BOOTHBY: Our government is ensuring that the court has the tools to send high-risk and repeat DV offenders to prison, but that is just one part. As a government, we have invested more in offender programs in our short time in government than Labor did over eight years.

Through Corrections we have focused on offender rehabilitation and engagement through the family violence program when in custody. We have seen 103 completions of this program, which is more than when Labor was in government.

In addition, we have seen much greater engagement in the RAGE program, a six-months long intensive domestic and family violence program with 41 completions versus 12 when Labor was in government over the same time.

We know what also keeps victims safe is when they are armed with more knowledge about their offender, not less knowledge. This is why our Bill will expand the type of information that the victims' register can receive from the Crime Victims Service Unit. Before our amendment, the information made available to the victims' register was only in relation to an offender who is sentenced to a term of imprisonment. Our amendment to the Act expands this application and removes the reference to a term of imprisonment, ensuring it will also apply to sentences which do not result in imprisonment.

Importantly, it will also apply to breaches of orders. This means that when an offender breaches their parole—a suspended sentence which might include breaching of electronic monitoring condition—then that information can be shared with the victim who can then take additional precautions and is not left in the dark.

We are also making offenders pay by increasing the levy for guilty offenders up to 40% to bolster funds for victims' services. These amendments will also cover victims of non-domestic violence related crimes.

I thank all the members for their response and contributions in this debate. I also thank all of the first responders, especially the police, ambulance officers, first aid officers and all the hardworking people in the domestic and family violence space. These are the people on the front line of this issue and they deserve our acknowledgement.

I thank the Attorney-General's Department for its work on this important Bill.

I will respond to a couple of comments by some members during this debate. I remind those who opposed mandatory sentencing, particularly those in the Labor opposition and the Leader of the Opposition specifically, who smugly pretended that they hold all the truth as to what works and what does not. Remember, they had eight years and applied their approach to this issue and left the Territory with the highest rates of domestic violence in Australia. An intimate partner homicide—rates are seven times higher than the national average, yet they still pretend they have all the answer. It is ridiculous. Unfortunately, it seems that Labor and the Leader of the Opposition remain committed to protecting ideology more than lives, which is why we are in this mess.

The Leader of the Opposition has no credibility on this argument. She can pretend she has the evidence; however, the evidence we have is that under her government, under her watch, DV exploded in the Northern Territory.

I thank the Member for Goyder who rightly pointed out that for years Labor spoke in soft words and used soft hands when dealing with crime and domestic violence. As he stated, police data shows that over the last decade there was a 117% increase in domestic violence related calls. That is a failure of Labor which clearly lost control of the issue. Labor loved to talk in vague terms as their evidence-based approach but offered nothing. The member also pointed out that the Pareto principle of criminal offenders and evidence which shows that the percentage of high-risk criminal offenders in a community is generally very small—typically estimated to be between 1% to 5% of the population. By targeting the small percentage of repeat high-risk dv offenders, which our laws are designed to do, our mandatory sentencing laws will naturally reduce crime and provide a much-needed circuit breaker for the victim to get to a safer position and away from the offender.

The Member for Gwojda stated that mandatory sentencing does not work because the offender may only be sent to prison for seven or 14 days and that is not enough time to engage with programs. This is why we do not have a minimum of seven or 14 days. We provide the courts with the tools to hold these offenders accountable and also include an increase of the maximum sentence of five years for the most serious DV breaches. With our investment in Corrections and behaviour programs, that will ensure that we get the offenders the treatment they require.

The Member for Nightcliff made an impassioned address to the Chamber. I am sorry to hear how she was a victim of domestic violence; that is awful. I did not appreciate that she assumed that no-one else in this Chamber has ever experienced what she has or knows what it is like to go through. That is making an assumption and judgement call; she does not know the members in this Chamber intimately. I think she should keep those kinds of remarks to herself.

The Member for Mulka talked about peacekeepers. I enjoyed his contribution because I have been to the Community Justice Centre, and they talked about the Member for Johnston having done some work out there. Those kinds of program are great, and they are federally funded. I believe that there is an allocation of money going towards the Community Justice Centre. They do some great work. We should keep fighting for that funding, which will help those communities to interact with each other to prevent ...

Ms Uibo interjecting.

Madam SPEAKER: Opposition Leader, please refrain from talking or chatting. You are in the Chamber; this is a professional context, and we do not want to hear ongoing commentary from the sideline.

Ms BOOTHBY: This morning when the Leader of the Opposition gave her contribution, we respectfully sat and listened. It is rude, and I thank you for pulling it up.

I thank the Members for Drysdale, Blain and Katherine, who is also Education minister. She spoke at length about some of the shelters in her community, how well they work and how she is looking forward to seeing them get some extra support. The Minister for the Prevention of Domestic Violence continually talks about all the work she is doing in that prevention space. I believe she even mentioned the statistics in mandatory sentencing and the changes in the statistics when Labor removed mandatory sentencing. It went from one

number, and when they removed it there was an exponential increase, which just goes to show that this argument that mandatory sentencing does not work is preposterous.

I heard some of the members say that mandatory sentencing will not keep the community safe. I reject that outright. The logic is simple. If the offender is in prison the offender cannot hurt the victim, and the victim has time to get into a better position and out of harm's way.

It is obvious, in relation to mandatory sentencing, that we will agree to disagree. The Labor opposition and some of the crossbenchers come at a position of ideology. I approach the position of saving lives. With that said, I move the Bill be read a second time.