



**NTCOSS and AMSANT Submission: Domestic and Family Violence and Victims
Legislation Amendment Bill 2025**

April 2025



Foreword

The Northern Territory Council of Social Services (NTCOSS) is the peak body for the social and community service sector in the Northern Territory (NT). NTCOSS's membership is comprised of community managed, non-government, not for profit organisations, which work in social and community service delivery, sector development and advocacy.

The Aboriginal Medical Services Alliance Northern Territory (AMSANT) is the peak body for Aboriginal Community Controlled Health Services (ACCHSs) in the Northern Territory (NT). For over 30 years AMSANT has undertaken a leadership role in Aboriginal health, providing high-level advocacy and policy development to improve the health and wellbeing of Aboriginal people across the NT and nationally. Our 26 member services are located across the NT, from urban centres such as Darwin to some of the most remote areas in Australia.

NTCOSS advocates for and with the domestic, family and sexual violence (DFSV) service sector in the NT to improve safety, wellbeing, economic and social justice outcomes for individuals and communities impacted by DFSV.

AMSANT's member services are the largest providers of primary health care to Aboriginal people in the NT. They deliver comprehensive, culturally secure primary health care through an integrated, holistic approach that addresses both clinical needs and the social determinants of health. In addition to health service delivery, our members are actively engaged in a broad range of health research activities that further strengthen the evidence base for Aboriginal health.

AMSANT works to build a strong Aboriginal community controlled comprehensive primary health care sector by supporting our members to provide culturally safe, high-quality care and by representing their interests through advocacy, policy, planning, and research. This includes our engagement with governments and other stakeholders on a broad range of public health priorities, including DFSV responses and reform.

We recognise that the NT experiences the worst rates of DFSV in the country and that Aboriginal and Torres Strait Islander women and families are disproportionately impacted by this violence. We recognise that families and communities are left grieving their loss. We recognise the profound effects of DFSV throughout the NT and note how it intersects with other structural disadvantage experienced by Aboriginal Territorians.

NTCOSS and AMSANT acknowledge that we live and work on what always was, and always will be, Aboriginal land. We pay our respects to Aboriginal cultures and country, and to Elders both past and present. We acknowledge the courage and dignity of those who stand up and say no to violence, and the DFSV knowledge and learning provided to us by Aboriginal people we work and live with in our communities.

NTCOSS and AMSANT acknowledge the feedback and contributions by the NTCOSS DFSV Group and AMSANT members to this submission.

Overview

In recent years in the NT and throughout Australia, an extensive DFSV reform agenda has been implemented after wide-ranging consultation with the DFSV sector and victim-survivors, including regarding mandatory sentencing. See *Attachments A, B and C*, for some of the key research from this period. The current Northern Territory (NT) Government's reform agenda requires on-going consultation and review to ensure its effectiveness. This should be done in consultation with victim-survivors and the DFSV sector. The DFSV sector and associated peaks are committed to working with the NT Government to support and enable this continued partnership.

The following submission focuses largely on Part 2, Division 1, Section 122 Mandatory Sentencing of the *Domestic and Family Violence and Victims Legislation Amendment Bill 2025*, with some comments in reference to the other proposed amendments. In summary NTCOSS and AMSANT do not support the resumption of mandatory sentencing for domestic violence order breaches because there is no evidence this will affect the following:

- a. Victim-survivors want a responsive, safety-focussed system that contributes to breaking cycles of abuse, providing best long term community safety.
- b. Perpetrators are supported to take responsibility for their behaviour and to change their behaviour in order to reduce DFSV offending and re-offending.
2. NTCOSS and AMSANT recommend the NT Coroner's findings in the [*Inquest into the Deaths of Miss Yunipingu, Ngeygo Raqurk, Kumarn Rubuntja and Kumanjayi Haywood*](#) should be the highest priority on the DFV reform agenda
3. NTCOSS and AMSANT support an increase to the victim's levy and expansion of the victims register in principle, however:
 - a. Any changes to the victims of crime scheme should include consultation with victim-survivors
 - b. Accessing these schemes presents challenges for many victim-survivors and consequently should include an increase in funding to services which support access
4. Assessors appointed under the financial assistance scheme should continue to be required to hold legal qualifications
5. Any changes to the NT DFSV reform agenda should encompass data collection regarding offending, re-offending and be monitored and evaluated for effectiveness

Clause 5. Section 122 inserted – Domestic and Family Violence Act 2007

NTCOSS and AMSANT support reforms that aid a responsive, safety-focussed system that contributes to breaking cycles of abuse (Attachment A) and reforms that ensure offenders are supported to take responsibility for their behaviour and to change their behaviour in order to reduce DFSV offending and re-offending. The evidence regarding mandatory sentencing is contrary to both principles.

There is extensive evidence that to prevent violence against women we must tackle the drivers of this violence (Attachment B). The violence experienced by Aboriginal and Torres Strait Islander women is inextricably linked to broader colonial violence and the intergenerational aspects of dispossession, including the forced removal of children, the interruption of cultural practices- that mitigate against interpersonal violence- and the on-going economic exclusion and disadvantage experienced by Aboriginal and Torres Strait Islander communities. This, coupled with the additional inequalities experienced by women and girls across the NT and Australia, drives violence against

women. To prevent and reduce violence against women, these drivers must be addressed with high priority. We endorse Our Watch's submission on these matters.

It is known that mandatory sentencing increases incarceration, is costly and is not effective as a crime deterrent (Attachment C). NT Corrections systems are not equipped for increasingly high numbers of DFSV offenders generally and particularly for the increase of offenders on short sentences as a result of this amendment. NT Corrections facilities do not have suitable programs for DFSV offenders and as a result mandatory sentencing will not reduce offending. There is evidence that periods of incarceration can increase the chances of re-offending. We endorse the submissions made by Stopping Family Violence and No To Violence on these matters. We endorse the submissions made by Women's Legal Services and Aboriginal Family Violence Legal Services.

Mandatory sentencing may contribute further to experiences of victimisation and disadvantage with an increase in misidentification of women as perpetrators of violence, rather than victim survivors. Mandatory sentencing could further increase the incarceration and traumatisation of victim survivors of DVSV in the NT.

NTCOSS and AMSANT recommend that the NT governments highest priority regarding DFSV reform should be implementing the recommendations made by the NT Coroner in the [*Inquest into the Deaths of Miss Yunipingu, Ngeygo Ragurk, Kumarn Rubuntja and Kumanjayi Haywood.*](#)

Division 1, Clause 13. Section 24 amended (Assessors)- Victims of Crime Assistance Act 2006

Our members are concerned by the proposed amendment to Section 24 of the Victims of Crimes Assistance Act 2006, which removes the requirement that assessors appointed under the financial assistance scheme hold legal qualifications. This change would allow the Director to appoint any person, regardless of legal training or expertise, to make complex decisions about victim compensation—many of which involve interpreting legislation, assessing causation, weighing evidence, and applying legal discretion.

Victims of DFSV often engage with the scheme during periods of trauma, instability, or legal vulnerability. These matters require legal knowledge and trauma-informed practice to be handled appropriately and fairly.

NTCOSS and AMSANT recommend the NT Government maintain the requirement that assessors hold legal qualifications and relevant experience, to preserve the credibility, fairness, and integrity of the financial assistance scheme. NTCOSS and AMSANT endorse the Central Australian Aboriginal Family Violence Unit (CAAFVU) and North Australian Aboriginal Family Legal Service's (NAAFVLS) submissions about this topic and recommend continued commitment to culturally informed and safe responses to DFSV.

Division 1, Clause 14. Section 61 amended (Imposition of levy)- Victims of Crime Assistance Act 2006

NTCOSS and AMSANT agree in principle with the increase to the victim's levy. However, any proposed legislative changes that are to impact victim-survivors of DFSV should proactively engage with victims-survivors of DFSV and the specialist services and programs who support them. This is of paramount importance.

We also emphasize that victims of DFSV who have had engagements with the current victims of crime scheme are proactively engaged regarding proposed changes to the victims of crime scheme.

Division 3, Clause 21. Regulation 5 inserted (Expansion of Victims Register)- Victims of Crime Rights and Services Regulations 2010

NTCOSS is supportive in principle of the expansion of the functions of the Victims Register. However, the DFSV sector report significant underutilisation of this of scheme by victim-survivors and challenges in providing information to victims quickly and in an accessible manner to promote their and their family's safety.

There is therefore a pressing need for barriers to accessing support to be addressed in this reform. As such we recommend that the expansion of the victims' register is coupled with the provision of increased support for Women's Legal Services and Aboriginal Family Violence Legal Services to support victim-survivors increased knowledge and access.

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