RUBY GAEA
DCASV
DARWIN CENTRE AGAINST SEXUAL VIOLENCE

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Legislative Scrutiny Committee
Legislative Assemply of the Northern Territory
GPO Box 3721
DARWIN NT 0801

April 3, 2025

Re: Domestic and Family Violence and Victims Legislation Amendment Bill 2025

Dear Legislative Scrutiny Committee,

Ruby Gaea, Darwin Centre Against Sexual Violence (DCASV) is the only community-based sexual violence specialist service operating in the Northern Territory. DCASV provides trauma-informed sexual violence counselling for children and women in two locations. We also provide community education on sexual violence issues, consent, and healthy relationships. In this submission DCASV will respond to proposed ammendments of this bill.

Part 2. Clause 4: Removal of ambiguity regarding contravention of a DVO

DCASV welcomes clarification on the contravention of a DVO to avoid ambiguity.

Part 2. Clause 5: Mandatory sentencing provision

The introduction of mandatory sentencing for people breaching Domestic Violence Orders (DVO's) in the proposed amendments poses a real concern. The removal of judicial discretion to deal with matters on a case by case basis leaves room for potential misidentification of the Person Using Violence (PUV), an ongoing problem disproportionatley impacting Aborignal women. Mandatory sentencing also poses risk of manipulation of DVO orders by the PUV, as well as potential risk of retribution in the event of compulsory incarceration. While positioned as a deterrent option, an unintended impact of this amendment may be a reduction of reporting by women experiencing DFV. NT prisons are already filled to capacity, and incarceration is increasing the risk of recidivism.[1] The Territory has the highest DFSV rates in the nation and one of the highest imprisonment rates in the world; a further increase in the prison population is extremely unlikely to increase safety for Territory communities. Culturally appropriate and tailored responses in consultation with NT communities are the only responses that can be effective for the long term.

[11] Productivity Commission, "Report on Government Services" (2025), Table CA.4.

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Part 3. Amendment of Victims Legislation.

Clause 12. Section 8 replaced with application in an approved form

The imposing of a requirement for lodgement of an application in an approved form does not address accessibility for people who may lack digital and/or English literacy. Forms for victims must be equally accessible for all Territorians and for this to genuinely be the case, all people requiring it must be offered other means of lodging the form through addressing language and literacy barriers.

Clause 13. Section 24. Removal of the need for specific qualifications for assessors

The lack of requirement for minimum qualifications for assessors under the financial scheme poses the risk that assessors are not trained or qualified to consider the complexity of cases before them. While wait times for victim cases to be processed is a challenge, complex cases regarding victim compensation must be assessed by people with appropriate qualifications and skills to ensure that determinations are thorough and fair. With no apparent base line of legal skills required under the proposed bill, incorrect assessments and inconsistent decision-making is likely.

We ask the Government to consider our submission in the interests of victim/survivors of DFSV and all Territory communities. We wish to genuinely work together with government, the DFSV sector, ACCO's and Territory communities towards a safer Territory for all.

Yours sincerely,

Max Taylor
General Manager
Ruby Gaea, Darwin Centre Against Sexual Violence