

CRIMES LEGISLATION AMENDMENT (DOMESTIC VIOLENCE AND SEXUAL OFFENCES)
BILL 2025

STATEMENT OF PUBLIC INTEREST

Need: Why is the policy needed based on factual evidence and stakeholder input?

This Bill implements a policy response to growing concern that current sentencing for intimate partner homicide does not adequately reflect the gravity of the offence or its impact on victims, families, and communities. The current standard non-parole period (SNPP) for murder is 20 years. Families affected by intimate partner homicide have expressed that existing sentencing practices fail to reflect the severity and trauma associated with these offences.

The Bill also includes additional technical amendments in relation to streamlining the prosecution of certain sexual offences, and correcting small inconsistencies in definitions underpinning domestic violence offence provisions. These amendments were identified by key justice agencies.

Objectives: What is the policy's objective couched in terms of the public interest?

The objectives of the policy are to better reflect the unique gravity of intimate partner homicide in sentencing practices, as well as to promote consistency and transparency in judicial outcomes. Setting a 25-year SNPP for this category of murder will strengthen offender accountability for lethal acts of intimate partner violence.

It is also in the public interest to ensure prosecutions for sexual offences are streamlined and do not face undue delay due to unnecessary administrative hurdles, and for legislation to be amended to ensure currency and accuracy.

Options: What alternative policies and mechanisms were considered in advance of the bill?

No alternative policies or mechanisms were considered, as the proposed creation of a new SNPP for intimate partner homicide requires a legislative amendment to the *Crimes (Sentencing Procedure) Act 1999 (CSP Act)*.

Similarly, legislative amendment was required to correct the issues addressed in Schedules 1 and 2 of the Bill.

Analysis: What were the pros/cons and benefits/costs of each option considered?

As no alternative options were considered, the analysis focused on the benefits of the proposed legislative change. These include improved consistency in sentencing practices, alignment of the SNPP for intimate partner homicide with other aggravated murder categories (e.g. child victims, public officials), and enhanced public confidence in the justice system. The reform also supports broader deterrence and accountability objectives. A failure to implement the proposed legislative change would leave community concerns about current sentencing practices for intimate partner homicide unaddressed.

Failing to progress the streamlining technical amendments in this Bill would have left identified issues unresolved. It is considered preferable that these amendments be made to remedy such issues.

Pathway: What are the timetable and steps for the policy's rollout and who will administer it?

The Bill will commence on assent. Sentencing courts will apply the new SNPP in relevant cases from the commencement date.

Consultation: Were the views of affected stakeholders sought and considered in making the policy?

Due to time constraints, no consultation was undertaken on the SNPP proposal. The remainder of the proposals in the Bill were consulted on with relevant government agencies and external legal stakeholders as part of the Justice Miscellaneous Bill process in 2025.