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MEDIA RELEASE

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DOMESTIC VIOLENCE REFORMS PASS PARLIAMENT

The default duration of Apprehended Domestic Violence Orders (ADVOs) will double and police will be able to make urgent changes to strengthen orders to protect victims, under NSW Government legislation passed by Parliament today.

Attorney General Mark Speakman and Minister for Prevention of Domestic Violence and Sexual Assault Pru Goward said the proposed laws, which also include an easier-to-prosecute strangulation offence, will boost protection for victims of domestic violence and help reduce reoffending.

“These potentially life-saving reforms are a key component of the NSW Government’s wide-reaching strategy to reduce the scourge of domestic violence,” Mr Speakman said.

The changes to the ADVO system mean:

- The default length of ADVOs will increase from 12 months to two years.
- Courts will be able to grant indefinite ADVOs in severe cases.
- ADVOs will automatically extend for two years after an adult offender is released from prison, a period when the risk of reoffending is known to be elevated
- Senior police will be given the power to immediately vary ADVOs to respond to serious and immediate risks to victims, until a court can consider the matter.

“Research indicates ADVOs are an important tool to help reduce reoffending and these improvements will help victims get the urgent and ongoing protection they need,” said Mr Speakman.

Ms Goward said the new strangulation offence is specifically formulated to recognise and address domestic violence strangulation and will be critical to holding offenders to account.

“There have been more than 600 prosecutions for the two existing strangulation offences since 2014, but fewer than one third of those have resulted in a conviction,” Ms Goward said.

“Proving the new strangulation offence will be more straightforward, which is expected to increase conviction rates and reduce the risk of police having to prosecute an offender with the lesser charge of common assault in order to secure a conviction.”

The new strangulation offence will carry a prison term of up to five years, whereas the maximum sentence for common assault is two years.

“Strangulation is a red flag for domestic violence homicide, so it is vital that perpetrators are charged with an offence that reflects the seriousness of this behaviour,” Ms Goward said.

The reforms respond to recommendations of the *NSW Domestic Violence Death Review Team Report 2015 - 2017* and are supported by a comprehensive program of activity to deliver the Premier’s Priority to reduce domestic violence reoffending.

The new strangulation offence is expected to commence by the end of the year, while the ADVO changes will take effect by mid-2019.