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Attorney General

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Minister for Prevention of Domestic Violence and Sexual Assault

## **MEDIA RELEASE**

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### **REVIEW OF DOMESTIC VIOLENCE AND OTHER HOMICIDE SENTENCING**

The NSW Government has ordered an independent review of sentencing for murder and manslaughter offences, including those involving domestic and family violence.

Attorney General Mark Speakman and Minister for the Prevention of Domestic Violence and Sexual Assault Pru Goward said the Sentencing Council review follows community concerns about the sentencing of domestic violence killers.

Mr Speakman said the tragedy of domestic violence homicide claimed 28 lives in NSW in 2017-18, representing 44 per cent of all homicide victims in that period.

“The Sentencing Council will examine how sentencing decisions affect families of homicide victims and the devastating impact of domestic violence on the community,” Mr Speakman said.

“This review will consider the laws relating to life sentences for murder and whether the 20-year standard non-parole period for murder should be increased. Standard non-parole periods provide an important legislative guidepost for judges.”

Ms Goward said while the review will examine sentencing principles for all types of manslaughter and murder, it is particularly important that the Sentencing Council consider closely how domestic violence killers are held to account.

“The results of the review will provide the NSW Government with guidance on potential law reform,” Ms Goward said.

“We want to make sure the courts have all the powers they need to impose appropriate sentences on killers – including domestic violence offenders - and can lock up the worst for life,” Ms Goward said.

Reducing domestic violence reoffending by 25 per cent by 2021 is one of the Premier’s Priorities.

## Terms of Reference

### **Review of sentencing for the offences of murder and manslaughter, including penalties imposed for domestic and family violence homicides and the standard non-parole periods for murder**

The Sentencing Council is to review the sentencing for the offences of murder and manslaughter under sections 19A, 19B and 24 of the *Crimes Act 1900* (NSW), in particular:

- the standard non-parole periods for murder and whether they should be increased; and
- the sentences imposed for domestic and family violence related homicides.

In undertaking this review, the Sentencing Council should consider:

- Sentences imposed for homicides and how these sentencing decisions compare with sentencing decisions in other Australian states and territories;
- The impact of sentencing decisions on the family members of homicide victims;
- The devastating impact of domestic and family violence on our community;
- The application of section 61 of the *Crimes (Sentencing Procedure) Act 1999* in the context of life sentences imposed for murder;
- The principles that courts apply when sentencing for these offences, including the sentencing principles applied in cases involving domestic and family violence; and
- Any other matter the Council considers relevant.