

Victims of Crime Assistance and Other Legislation Amendment Act 2017

Explanatory notes for SL 2017 No. 101

made under the

Victims of Crime Assistance and Other Legislation Amendment Act 2017

General Outline

Short title

Victims of Crime Assistance and Other Legislation Amendment Act 2017

Authorising law

Section 2 of the *Victims of Crime Assistance and Other Legislation Amendment Act 2017*.

Policy objectives and the reasons for them

The *Victims of Crime Assistance and Other Legislation Amendment Act 2017* (the Act) was assented to on 30 March 2017. Section 2 of the Act provides that the Act commences on a day to be fixed by proclamation.

The objective of the Proclamation is to commence the following provisions of the Act:

- Sections 6 and 8;
- Parts 4 to 7; and
- the amendments in schedule 1 relating to the *Corrective Services Act 2006*, the *Evidence Act 1977*, the *Penalties and Sentences Act 1992*, the *Recording of Evidence Regulation 2008*, the *Victims of Crime Assistance Act 2009* (VOCA Act) and the *Youth Justice Act 1992*.

These provisions achieve two main policy objectives, namely:

- implementing the recommendations of the *Final Report of the Review of the Victims of Crime Assistance Act 2009* and ensuring that the VOCA Act continues to provide an effective response to assist victims of crime; and
- giving victims of a sexual offence, who are to give evidence in a criminal proceeding against the accused, automatic status as a special witness.

A Proclamation to commence the remaining provisions of the Act, which relate to the introduction of a sexual assault counselling privilege, will be considered at a later date.

Achievement of policy objectives

The policy objective is achieved by fixing the commencement date of 1 July 2017.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the policy objectives of the authorising law.

Inconsistency with policy objectives of other legislation

The Proclamation is not inconsistent with any policy objective of any other legislation.

Benefits and costs of implementation

Costs of implementing the amendment will be met from existing resources.

Consistency with fundamental legislative principles

The Proclamation does not conflict with fundamental legislative principles as set out in section 4 of the *Legislative Standards Act 1992*.

Consultation

There was no consultation undertaken on the Proclamation as it is machinery in nature.