

Act No. 183

## CRIMES (SENTENCING) AMENDMENT BILL 1987

NEW SOUTH WALES



### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

This Bill is cognate with the Probation and Parole (Serious Offences) Amendment Bill 1987.

The object of this Bill is to amend the Crimes Act 1900 so as to provide that certain courts may consider victim impact statements before sentencing criminals for indictable offences involving personal violence.

---

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day to be fixed by proclamation.

Clause 3 is a formal provision giving effect to the Schedule of amendments to the Principal Act.

Schedule 1 (1) makes a minor consequential amendment to section 1 (Short title and contents of Act) of the Principal Act so as to insert into that section particulars of the proposed new section 447C.

Schedule 1 (2) inserts proposed section 447C (Victim impact statements) into the Principal Act. The proposed section will enable the Supreme Court or the District Court to receive and consider, after convicting but before sentencing, statements relating to victims of crimes involving violence which have been dealt with on indictment.

*Crimes (Sentencing) Amendment 1987*

---

A victim impact statement may contain particulars of personal injuries suffered by any victim in the course of the commission of the offence, but may not be received or considered by a court if the victim to whom it relates objects. A "victim" is defined as a person against whom the offence was committed or who was a witness to violence involved in the offence, and in either case has suffered personal injury.

---