

**Authorised Version No. 023**  
**Victims' Charter Act 2006**

**No. 65 of 2006**

Authorised Version incorporating amendments as at  
16 February 2022

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Authorised Version incorporating amendments as at  
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**The Parliament of Victoria enacts as follows:**

**Part 1—Preliminary**

**1 Purposes**

The purposes of this Act are—

- (a) to recognise principles that govern the response to persons adversely affected by crime by investigatory agencies, prosecuting agencies and victims' services agencies; and
- (b) to establish requirements for the monitoring and review of the principles set out in this Act.

**2 Commencement**

This Act comes into operation on 1 November 2006.

**3 Definitions**

(1) In this Act—

*Charter principles* means the principles set out in Part 2;

*criminal offence* means an offence, or a series of related offences, committed at any time, whether or not a person has been accused or convicted of that offence, and in relation to a victim, is the offence that gave rise to the injury suffered by the victim;

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S. 3(1) def. of  
*detention  
order*  
inserted by  
No. 91/2009  
s. 219(Sch. 3  
item 6.1),  
substituted by  
No. 27/2018  
s. 371(1)(a).

*detention order* means a detention order or an  
interim detention order within the meaning  
of the **Serious Offenders Act 2018**;

S. 3(1) def. of  
*domestic  
partner*  
repealed by  
No. 52/2008  
s. 267(1).

\* \* \* \* \*

S. 3(1) def. of  
*DPP*  
inserted by  
No. 42/2018  
s. 3(a).

*DPP* means the Director of Public Prosecutions  
for Victoria;

S. 3(1) def. of  
*emergency  
detention  
order*  
inserted by  
No. 27/2018  
s. 371(1)(b).

*emergency detention order* means an emergency  
detention order within the meaning of the  
**Serious Offenders Act 2018**;

S. 3(1) def. of  
*extended  
supervision  
order*  
inserted by  
No. 21/2008  
s. 25(3).

*extended supervision order* means an extended  
supervision order within the meaning of the  
**Serious Sex Offenders Monitoring Act  
2005** or an interim extended supervision  
order within the meaning of that Act;

S. 3(1) def. of  
*family  
member*  
repealed by  
No. 52/2008  
s. 267(1),  
new def. of  
*family  
member*  
inserted by  
No. 52/2008  
s. 267(2).

*family member* has the meaning given by section  
8(1) and (2) of the **Family Violence  
Protection Act 2008**;

*injury* means—

- (a) actual physical bodily injury; or
- (b) mental illness or disorder or an exacerbation of a mental illness or disorder, whether or not flowing from nervous shock; or
- (c) pregnancy; or
- (d) grief, distress or trauma or other significant adverse effect; or
- (e) loss or damage to property; or
- (f) any combination of matters referred to in paragraphs (a), (b), (c), (d) and (e);

*investigatory agency* means—

- (a) a police officer; or
- (b) a person authorised by an enactment to investigate a criminal offence;

S. 3(1) def. of *investigatory agency* amended by No. 37/2014 s. 10(Sch. item 175.1(b)).

*person adversely affected by crime* means—

- (a) a natural person who has suffered injury as a direct result of a criminal offence, whether or not that injury was reasonably foreseeable by the offender; or
- (b) a family member of a person referred to in paragraph (a); or
- (c) a witness to a criminal offence;

*police officer* has the same meaning as in the **Victoria Police Act 2013**;

S. 3(1) def. of *police officer* inserted by No. 37/2014 s. 10(Sch. item 175.1(a)).

S. 3(1) def. of *Post Sentence Authority* inserted by No. 57/2017 s. 53(1), substituted by No. 27/2018 s. 371(1)(c).

***Post Sentence Authority*** means the Post Sentence Authority continued in existence under section 290 of the **Serious Offenders Act 2018**;

S. 3(1) def. of *prosecuting agency* amended by Nos 37/2014 s. 10(Sch. item 175.1(c)), 42/2018 s. 3(b).

***prosecuting agency*** means—

- (a) the DPP; or
- (b) a police officer; or
- (c) a person authorised to bring proceedings for a criminal offence against an enactment;

S. 3(1) def. of *relative* inserted by No. 52/2008 s. 267(2).

***relative*** has the meaning given by section 10 of the **Family Violence Protection Act 2008**;

***Secretary*** means the Secretary to the Department of Justice;

S. 3(1) def. of *sentence indication* inserted by No. 1/2022 s. 116.

***sentence indication*** means a sentence indication under section 207 of the **Criminal Procedure Act 2009**;

S. 3(1) def. of *supervision order* inserted by No. 91/2009 s. 219(Sch. 3 item 6.1), amended by No. 27/2018 s. 371(1)(d).

***supervision order*** means a supervision order within the meaning of the **Serious Offenders Act 2018** or an interim supervision order under that Act;

S. 3(1) def. of *victim* amended by Nos 7/2014 s. 5(3), 5/2018 s. 21.

***victim*** means—

- (a) a natural person who has suffered injury as a direct result of a criminal offence, whether or not that injury was

reasonably foreseeable by the offender;  
or

- (b) if a person has died as a direct result of a criminal offence committed against that person, a family member of that person; or
- (c) if the person referred to in paragraph (a) is under 18 years of age or is incapable of managing his or her own affairs because of mental impairment, a family member of that person; or
- (d) in the case of an offence against section 49M of the **Crimes Act 1958** (grooming for sexual conduct with a child under the age of 16), the child and a family member of that child;

*victims' services agency* means—

- (a) an entity established under an enactment that is responsible for the provision of services to persons adversely affected by crime; or
- (b) a public official within the meaning of the **Public Administration Act 2004** who is responsible for the provision of services to persons adversely affected by crime; or
- (c) an entity that is publicly funded to provide services to persons adversely affected by crime.

\* \* \* \* \*

**S. 3(2)**  
repealed by  
**No. 52/2008**  
s. 267(3).

#### 4 Objects

- (1) The objects of this Act are—
- (a) to recognise the impact of crime on the victims of that crime, including the impact on members of victims' families, witnesses to the crime and in some cases, the broader community;
  - (b) to recognise that all persons adversely affected by crime, regardless of whether they report the offence, should be treated with respect by all investigatory agencies, prosecuting agencies and victims' services agencies and should be offered information to enable them to access appropriate services to help with the recovery process;
  - (ba) to recognise that a victim of crime has an inherent interest in the response by the criminal justice system to that crime, giving rise to the rights and entitlements set out in this Act, and to acknowledge the victim's role as a participant, but not a party, in proceedings for criminal offences;
  - (c) to help reduce the likelihood of secondary victimisation by the criminal justice system.
- (2) The objects referred to in subsection (1) are based on the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power adopted by the General Assembly of the United Nations by resolution 40/34 of 29 November 1985.

S. 4(1)(ba)  
inserted by  
No. 42/2018  
s. 4.

#### 5 Nomination of representatives

- (1) A victim may nominate a person to be his or her representative for the purposes of this Act, and if a representative is nominated the representative is to be provided with information that, in accordance



with the Charter principles, is required to be provided to the victim.

- (2) If a person has died or suffered injury as a direct result of a criminal offence committed against the person and the person has more than one family member, the family members of the person may nominate one or more family members to be the representative of the family for the purposes of this Act.

Pt 2 (Heading)  
amended by  
No. 42/2018  
s. 5.

## **Part 2—Charter principles governing response to victims and persons adversely affected by crime**

### **6 Treatment of persons adversely affected by crime**

- (1) All persons adversely affected by crime are to be treated with courtesy, respect and dignity by investigatory agencies, prosecuting agencies and victims' services agencies.
- (2) Investigatory agencies, prosecuting agencies and victims' services agencies are to take into account, and be responsive to, the particular needs of persons adversely affected by crime, particularly needs relating to differences such as—
  - (a) race or indigenous background;
  - (b) sex or gender identity;
  - (c) cultural or linguistic diversity;
  - (d) sexual orientation;
  - (e) disability;
  - (f) religion;
  - (g) age.

### **7 Information to be given to persons adversely affected by crime**

Investigatory agencies, prosecuting agencies and victims' services agencies—

- (a) are to provide clear, timely and consistent information about relevant support services, possible entitlements and legal assistance available to persons adversely affected by crime; and

- (b) if appropriate, are to refer persons adversely affected by crime to relevant support services and to entities that may provide access to entitlements and legal assistance.

#### **7A Special treatment of victims**

Investigatory agencies, prosecuting agencies and victims' services agencies are to—

- (a) respect the rights and entitlements of victims as participants in proceedings for criminal offences; and
- (b) so far as is reasonably practicable, take into account, and be responsive to, the particular needs of victims living in rural and regional locations.

**S. 7A**  
inserted by  
**No. 42/2018**  
s. 6.

#### **7B Communication with victims**

Investigatory agencies, prosecuting agencies and victims' services agencies are to take into account, and be responsive to, the following matters when communicating with a victim—

- (a) whether the victim wishes to be contacted;
- (b) the victim's preferred method of contact (which may vary at different stages throughout the proceeding for a criminal offence and according to the topic of communication);
- (c) issues that affect the victim's ability to understand the information being communicated, including, but not limited to—
  - (i) the victim's understanding of English; and
  - (ii) whether the victim has a disability; and
  - (iii) whether the victim is a child.

**S. 7B**  
inserted by  
**No. 42/2018**  
s. 6.

## **8 Information to be given to victim about investigation**

S. 8(1)  
substituted by  
No. 42/2018  
s. 7.

- (1) An investigatory agency is to inform a victim, at reasonable intervals, about the progress of an investigation into a criminal offence unless the disclosure may jeopardise any investigation of a criminal offence.
- (2) If the disclosure of information under subsection (1) may jeopardise any investigation, an investigatory agency is to inform the victim about the progress of the investigation of the criminal offence relevant to the victim, to the extent possible without jeopardising any investigation.
- (3) If the disclosure of information under subsection (1) would jeopardise an investigation, an investigatory agency is to inform the victim that no information can be provided at that stage due to the ongoing nature of the investigation.

## **9 Information regarding prosecution**

The prosecuting agency is to give a victim, as soon as reasonably practicable, the following information—

S. 9(a)  
amended by  
No. 68/2009  
s. 97(Sch.  
item 130.1).

- (a) the offences charged against the person accused of the criminal offence;

S. 9(b)  
amended by  
No. 68/2009  
s. 97(Sch.  
item 130.2).

- (b) if no offence is charged against any person, the reason why no offence was charged;

S. 9(c)  
amended by  
No. 68/2009  
s. 97(Sch.  
item 130.3).

- (c) if offences are charged, any decision—
  - (i) to substantially modify those charges;or

(ii) to discontinue the prosecution of those charges; or

S. 9(c)(ii)  
amended by  
No. 42/2018  
s. 8(a).

(iii) to accept a plea of guilty to a lesser charge;

(d) in the case of a prosecuting agency that is not the DPP, details about how to find out the date, time and place of the hearing of the charges against the accused person;

S. 9(d)  
amended by  
No. 42/2018  
s. 8(b).

(e) in the case of a prosecuting agency that is not the DPP, the outcome of the criminal proceeding against the accused person, including any sentence imposed;

S. 9(e)  
amended by  
No. 42/2018  
s. 8(c).

(f) if an appeal is instituted, the fact of the appeal, the grounds of the appeal and the result of the appeal.

**9A Additional information regarding prosecution to be provided by DPP**

S. 9A  
inserted by  
No. 42/2018  
s. 9.

The DPP is to take all reasonable steps to advise a victim of—

(a) the date, time and location of any contested committal hearing, trial, plea hearing, sentencing hearing and appeal hearing; and

(b) the progress of a prosecution, including the outcome of any committal mention, contested committal hearing, initial directions hearing, trial, plea hearing, sentencing hearing or appeal hearing, or guilty plea.

**9B Views of victim to be sought by DPP**

S. 9B  
inserted by  
No. 42/2018  
s. 9.

(1) The DPP is to seek the views of a victim before the DPP makes a decision to—

(a) substantially modify the charges; or

S. 9B(1)(ca)  
inserted by  
No. 1/2022  
s. 117(1).

- (b) discontinue the prosecution of the charges;  
or
- (c) accept a plea of guilty to a lesser charge; or
- (ca) oppose an application for a sentence  
indication; or

- (d) appeal a sentence; or
- (e) appeal an acquittal.

(2) The DPP is to give a victim information about the matters taken into account by the DPP in making a decision to—

S. 9B(2)(b)  
amended by  
No. 1/2022  
s. 117(2).

- (a) agree to or oppose an application to cross-examine the victim at a committal hearing;  
or
- (b) apply for, agree to or oppose an application for summary jurisdiction; or

S. 9B(2)(c)  
inserted by  
No. 1/2022  
s. 117(3).

- (c) oppose an application for a sentence indication.

(3) The DPP is not required to seek the views of a victim under subsection (1) or inform a victim under subsection (2) if—

- (a) the victim cannot be contacted after all reasonable attempts; or
- (b) it is not practical to contact the victim given the speed or nature of the proceeding.

S. 9C  
inserted by  
No. 42/2018  
s. 9.

### **9C DPP to give reasons for certain decisions**

(1) The DPP is to give a victim, as soon as reasonably practicable, the reasons for any decision referred to in section 9(c).

- (2) The reasons referred to in subsection (1) may be given either orally or in writing.
- (3) Despite subsection (1), the DPP may decline to provide the reasons if the disclosure may jeopardise any investigation of a criminal offence or prejudice any other proceeding.

## 10 Applications for bail

- (1) A prosecuting agency, on request by a victim, is to ensure that the victim is informed of—
  - (a) the outcome of any application for bail by the person accused of the criminal offence; and
  - (b) if bail is granted, any conditions imposed on the accused person by the court that are intended to protect the victim or family members of the victim.

S. 10(1)(b)  
amended by  
No. 70/2010  
s. 41.

\* \* \* \* \*

S. 10(2)  
repealed by  
No. 26/2017  
s. 27.

## 11 Information about court process

- (1) A prosecuting agency is to ensure that a victim is informed about the court process and the victim's entitlement to attend any relevant court proceedings, unless the court otherwise orders.
- (2) If a victim is to appear as a witness for the prosecution, the prosecuting agency is to ensure that—
  - (a) the victim is informed—
    - (i) about the process of the trial or hearing (as the case requires); and
    - (ii) about the victim's role as a witness for the prosecution; and

S. 11(2)  
amended by  
No. 68/2009  
s. 97(Sch.  
item 130.4),  
substituted by  
No. 42/2018  
s. 10.

- (iii) that after the victim has given evidence, the victim may remain in the courtroom unless the court otherwise orders; and
- (iv) if relevant, about any special protections or alternative arrangements for giving evidence; and
- (b) if relevant, the court is informed about the victim's preferences for the use of any special protections or alternative arrangements for giving evidence.

**Note**

The **Criminal Procedure Act 2009** contains a number of special protections and alternative arrangements for giving evidence.

**12 Contact between victim and accused in court building to be minimised**

So far as is reasonably practicable, a prosecuting agency and the courts should, during the course of a court proceeding and within a court building—

- (a) minimise a victim's exposure to unnecessary contact with the person accused of the criminal offence, defence witnesses and family members and supporters of the accused person; and
- (b) protect a victim from intimidation by the accused person, defence witnesses and family members and supporters of the accused person.

**13 Victim impact statements**

- (1) A victim of a criminal offence may make a victim impact statement to the court sentencing the person found guilty of the offence, and unless the court orders otherwise, that statement may be considered by the court in determining the sentence of the offender.



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**Note**

See Division 1C of Part 3 of the **Sentencing Act 1991** in relation to victim impact statements.

Note to  
s. 13(1)  
amended by  
No. 65/2011  
s. 107(Sch.  
item 15).

(1A) The prosecuting agency must inform the victim, as soon as reasonably practicable after commencing to deal with that victim, of the victim's entitlement under subsection (1) to make a victim impact statement.

S. 13(1A)  
inserted by  
No. 1/2022  
s. 117A.

- (2) If a victim expresses a wish to make a victim impact statement, a prosecuting agency is to—
- (a) refer the victim to an appropriate victims' services agency for assistance in preparing the victim impact statement; and
  - (b) give the victim general information about the types of material in a victim impact statement that the court may rule inadmissible and the consequences that may occur from that ruling.

S. 13(2)  
substituted by  
No. 42/2018  
s. 11.

- (3) Despite subsection (2)(b), the prosecuting agency does not have a duty to advise the victim of the admissibility of a particular victim impact statement.

S. 13(3)  
inserted by  
No. 42/2018  
s. 11.

## 14 Victims' privacy

A victim's personal information, including his or her address and telephone number, is not to be disclosed by any person except in accordance with the **Privacy and Data Protection Act 2014**.

S. 14  
amended by  
No. 60/2014  
s. 140(Sch. 3  
item 49.1).

**Note**

Section 10 of the **Privacy and Data Protection Act 2014** provides that the Act does not apply in respect of the collection, holding, management, use, disclosure or transfer of personal information by a court, tribunal, judge, magistrate or registry staff in relation to their judicial or quasi-judicial functions.

Note to s. 14  
amended by  
No. 60/2014  
s. 140(Sch. 3  
item 49.2).

## 15 Storage and return of property held by the State

If property of a victim is in the possession of an investigatory agency or a prosecuting agency for the purpose of the investigation or prosecution of a criminal offence—

- (a) the agency is to handle and store the property in a lawful, respectful and secure manner; and
- (b) if possible and in consultation with the victim, the property is to be returned to the victim as soon as reasonably practicable.

## 16 Compensation and financial assistance for victims

- (1) A victim may apply to a court for an order that the person convicted of or found guilty of the criminal offence that gave rise to the injury suffered by the victim pay compensation to the victim.

### Note

See Division 2 of Part 4 of the **Sentencing Act 1991** in relation to applications for compensation for victims of crime.

- (2) In accordance with the **Victims of Crime Assistance Act 1996** a person eligible under that Act may apply to the State for compensation and financial assistance.
- (3) A prosecuting agency that is dealing with a victim must inform the victim of the victim's possible entitlements under Divisions 1 and 2 of Part 4 of the **Sentencing Act 1991** and refer the victim to any legal assistance available to them.

## 17 Information about offender

- (1) A victim of a criminal act of violence within the meaning of section 30A of the **Corrections Act 1986** may apply to be included on the victims register established under that Act.

S. 16(3)  
inserted by  
No. 1/2022  
s. 117B.

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**Note**

See sections 30A to 30I of the **Corrections Act 1986** in relation to the victims register.

- (2) The Secretary may give to a person included on the victims register certain information concerning the offender such as the length of sentence, the likely date of release and the making of an extended supervision order, a supervision order or a detention order.
- (3) If the Adult Parole Board is considering ordering the release on parole of an imprisoned offender who has committed a criminal act of violence—
- (a) a person included on the victims register may make a submission to the Board about the effect of the offender's potential release on the victim; and
- (b) the Board is to consider any submission received.

S. 17(2)  
amended by  
No. 91/2009  
s. 219(Sch. 3  
item 6.2).

**Note**

See sections 74A and 74B of the **Corrections Act 1986** in relation to victim submissions to the Adult Parole Board.

- (4) A person included on the victims register may make a submission to the Post Sentence Authority for consideration in determining any instruction or direction it may give to an offender subject to an extended supervision order, a supervision order, detention order or an emergency detention order

S. 17(4)  
amended by  
Nos 91/2009  
s. 219(Sch. 3  
item 6.3),  
57/2017  
s. 53(2),  
27/2018  
s. 371(2).

**Note**

See sections 16A and 16B of the **Serious Sex Offenders Monitoring Act 2005** or sections 153 and 154 of the **Serious Offenders Act 2018** in relation to victim submissions.

Note to  
s. 17(4)  
amended by  
Nos 91/2009  
s. 219(Sch. 3  
item 6.4),  
27/2018  
s. 371(3).

## **Part 3—General**

### **18 Implementation of Charter principles**

- (1) If an investigatory agency, a prosecuting agency or a victims' services agency is aware, or should reasonably be aware, that a person is a victim, the agency must have regard to the Charter principles when dealing with the person.
- (2) A person or body responsible for the development of criminal law policy, the development of victims' services policy, the administration of criminal justice or the administration of victims' services must, where relevant, have regard to the Charter principles.

S. 19  
(Heading)  
amended by  
No. 42/2018  
s. 12.

### **19 Information regarding complaints process for persons adversely affected by crime**

If a person adversely affected by crime informs an investigatory agency, a prosecuting agency or a victims' services agency that he or she believes that the agency has not upheld the Charter principles, the agency should inform the person about the processes available for making a complaint.

S. 19A  
inserted by  
No. 42/2018  
s. 13.

### **19A Complaints system for victims**

- (1) Each investigatory agency, prosecuting agency and victims' services agency must institute and operate a system to receive and resolve complaints from victims in respect of the agency's compliance with the Charter principles, including complaints made under section 19B.
- (2) A complaints system referred to in subsection (1) must—
  - (a) be accessible and transparent; and

- (b) offer fair and reasonable remedies.

**Note**

Fair and reasonable remedies may include an apology, an acknowledgment that an error occurred, or an explanation as to why an error occurred and the steps being taken by the agency to prevent the error reoccurring.

- (3) An investigatory agency, a prosecuting agency or a victims' services agency that is dealing with a victim must inform the victim, as soon as is reasonably practicable after commencing to deal with that victim, of—
- (a) the agency's complaints system referred to in subsection (1); and
  - (b) the victim's right to have a complaint reviewed under the **Victims of Crime Commissioner Act 2015** if dissatisfied with the agency's response to the complaint.

**19B Victim may complain to agency**

A victim may complain to an investigatory agency, a prosecuting agency or a victims' services agency if the victim believes that the agency has not complied with the Charter principles.

**Note**

A victim may seek a review of the agency's response to the complaint under the **Victims of Crime Commissioner Act 2015**.

**S. 19B**  
inserted by  
**No. 42/2018**  
s. 13.

**20 Monitoring operation of Act**

To ensure that the objectives of this Act are met, the Secretary must—

- (a) develop policies and plans to promote the Charter principles;
- (b) monitor, evaluate and review the operation of this Act and its benefits for victims;

- (c) ensure that appropriate processes are established for complaints to be made by persons adversely affected by crime if the Charter principles are not upheld;
- (d) do anything else the Secretary considers appropriate for the purposes of this Act.

## 21 Report of operations

The Attorney-General must each year cause to be included in the report of operations of the Department of Justice under Part 7 of the **Financial Management Act 1994** the following information—

- (a) the steps taken to promote the Charter principles;
- (b) a report on the operation of this Act.

Note to s. 21  
inserted by  
No. 42/2018  
s. 14.

### Note

Section 29A of the **Victims of Crime Commissioner Act 2015** requires the Victims of Crime Commissioner to commence a review of the operation of this Act and its benefits for victims by 4 November 2024.

S. 21A  
inserted by  
No. 42/2018  
s. 15.

## 21A Review of victim experience in summary proceedings

- (1) The Attorney-General must cause a review to be conducted into legislative and non-legislative changes that are necessary and appropriate to improve the experience of victims participating in summary proceedings for criminal offences.
- (2) The Attorney-General must cause a copy of a report of the review to be laid before each House of Parliament on or before the second anniversary of the commencement of Part 2 of the **Victims and Other Legislation Amendment Act 2018**.

## **22 Legal rights not affected**

- (1) The Parliament does not intend by this Act—
  - (a) to create in any person any legal right or give rise to any civil cause of action; or
  - (b) to affect in any way the interpretation of any law in force in Victoria; or
  - (c) to affect the validity, or provide grounds for review, of any judicial or administrative act or omission.
- (2) Subsection (1) does not prevent a contravention of this Act from being the subject of disciplinary proceedings against a relevant official.

## **23 Regulations**

The Governor in Council may make regulations for or with respect to any matter or thing required or permitted by this Act to be prescribed to give effect to this Act.

Pt 4 (Heading  
and s. 24)  
inserted by  
No. 42/2018  
s. 16.

## **Part 4—Transitional provisions**

S. 24  
inserted by  
No. 42/2018  
s. 16.

### **24 Transitional provision—Victims and Other Legislation Amendment Act 2018**

The amendments made to this Act by Part 2 of the **Victims and Other Legislation Amendment Act 2018** apply in respect of a person who was a victim immediately before the commencement of that Part and who is a victim on the day that Part commences.

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## Endnotes

### 1 General information

See [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au) for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

*Minister's second reading speech—*

*Legislative Assembly: 14 June 2006*

*Legislative Council: 22 August 2006*

The long title for the Bill for this Act was "to recognise principles governing the response to victims of crime by the criminal justice system and for other purposes."

The **Victims' Charter Act 2006** was assented to on 29 August 2006 and came into operation on 1 November 2006: section 2.

#### INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

##### Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

##### References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided section or clause of a Schedule is amended by the insertion of one or more subsections or subclauses, the original section or clause becomes subsection or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original section or clause.

##### Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in an Act which is passed on or after 1 January 2001 form part of that Act. Any heading inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. This includes headings to Parts, Divisions or Subdivisions in a Schedule; sections; clauses; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in an Act which is passed on or after 1 January 2001 form part of that Act. Any examples, diagrams or notes inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, form part of that Act. See section 36(3A).

- **Punctuation**

All punctuation included in an Act which is passed on or after 1 January 2001 forms part of that Act. Any punctuation inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. See section 36(3B).

- **Provision numbers**

All provision numbers included in an Act form part of that Act, whether inserted in the Act before, on or after 1 January 2001. Provision numbers include section numbers, subsection numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of an Act is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of an Act. See section 36(3)(3D)(3E).

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## 2 Table of Amendments

This publication incorporates amendments made to the **Victims' Charter Act 2006** by Acts and subordinate instruments.

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### **Justice Legislation Amendment Act 2008, No. 21/2008**

*Assent Date:* 2.6.08  
*Commencement Date:* S. 25(3) on 3.6.08: Special Gazette (No. 148) 3.6.08  
p. 1  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

### **Family Violence Protection Act 2008, No. 52/2008**

*Assent Date:* 23.9.08  
*Commencement Date:* S. 267 on 8.12.08: Special Gazette (No. 339) 4.12.08  
p. 1  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

### **Criminal Procedure Amendment (Consequential and Transitional Provisions) Act 2009, No. 68/2009**

*Assent Date:* 24.11.09  
*Commencement Date:* S. 97(Sch. item 130) on 1.1.10: Government Gazette  
10.12.09 p. 3215  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

### **Serious Sex Offenders (Detention and Supervision) Act 2009, No. 91/2009**

*Assent Date:* 15.12.09  
*Commencement Date:* S. 219(Sch. 3 item 6) on 1.1.10: Government Gazette  
24.12.09 p. 3397  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

### **Bail Amendment Act 2010, No. 70/2010**

*Assent Date:* 19.10.10  
*Commencement Date:* S. 41 on 1.1.11: s. 2(2)  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

### **Sentencing Amendment (Community Correction Reform) Act 2011, No. 65/2011**

*Assent Date:* 22.11.11  
*Commencement Date:* S. 107(Sch. item 15) on 16.1.12: Special Gazette  
(No. 423) 21.12.11 p. 3  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

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**Crimes Amendment (Grooming) Act 2014, No. 7/2014**

*Assent Date:* 25.2.14  
*Commencement Date:* S. 5(3) on 9.4.14: Special Gazette (No. 112) 8.4.14  
p. 1  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

**Victoria Police Amendment (Consequential and Other Matters) Act 2014,  
No. 37/2014**

*Assent Date:* 3.6.14  
*Commencement Date:* S. 10(Sch. item 175) on 1.7.14: Special Gazette  
(No. 200) 24.6.14 p. 2  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

**Privacy and Data Protection Act 2014, No. 60/2014**

*Assent Date:* 2.9.14  
*Commencement Date:* S. 140(Sch. 3 item 49) on 17.9.14: Special Gazette  
(No. 317) 16.9.14 p. 1  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

**Bail Amendment (Stage One) Act 2017, No. 26/2017**

*Assent Date:* 27.6.17  
*Commencement Date:* S. 27 on 21.5.18: Special Gazette (No. 218) 15.5.18  
p. 1  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

**Serious Sex Offenders (Detention and Supervision) Amendment (Governance)  
Act 2017, No. 57/2017**

*Assent Date:* 8.11.17  
*Commencement Date:* S. 53 on 27.2.18: Special Gazette (No. 49) 13.2.18 p. 1  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

**Justice Legislation Amendment (Victims) Act 2018, No. 5/2018**

*Assent Date:* 27.2.18  
*Commencement Date:* S. 21 on 28.2.18: s. 2(1)  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

**Serious Offenders Act 2018, No. 27/2018**

*Assent Date:* 26.6.18  
*Commencement Date:* S. 371 on 3.9.18: Special Gazette (No. 356) 31.7.18  
p. 1  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

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**Victims and Other Legislation Amendment Act 2018, No. 42/2018**

*Assent Date:* 11.9.18  
*Commencement Date:* Ss 3–16 on 4.11.19: s. 2(2)  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

**Justice Legislation Amendment (Criminal Procedure Disclosure and Other  
Matters) Act 2022, No. 1/2022**

*Assent Date:* 15.2.22  
*Commencement Date:* Ss 116–117B on 16.2.22: s. 2(1)  
*Current State:* This information relates only to the provision/s  
amending the **Victims' Charter Act 2006**

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### **3 Amendments Not in Operation**

This version does not contain amendments that are not yet in operation.

#### **4 Explanatory details**

No entries at date of publication.