

Victims of Crime Assistance and Other Legislation Amendment Act 2017

Explanatory notes for SL 2017 No. 215

made under the

Victims of Crime Assistance and Other Legislation Amendment Act 2017

General Outline

Short title

Proclamation to commence remaining provisions of *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.

This Proclamation will commence the provisions of the Act which are not in force.

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

- Parts 2 and 3 (except for section 8 which has already commenced); and
- the amendments in schedule 1 relating to the *Bail Act 1980*, the *Criminal Code Act 1899*, the *Domestic and Family Violence Protection Act 2012*, and the *Justices Act 1886*.

These provisions introduce a sexual assault counselling privilege and make other consequential changes.

The other provisions in the Act, which implemented the recommendations of the Final Report of the Review of the *Victims of Crime Assistance Act 2009* and provided victims of a sexual offence who provide evidence in a criminal proceeding automatic status as a special witness, commenced on 1 July 2017.

Achievement of policy objectives

The policy objective is achieved by fixing the commencement date of 1 December 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

\$2.232 million over four years (2016 to 2020) has been allocated to establish and evaluate a sexual assault counselling privilege legal assistance service to offer legal support, referrals and advice to victims of sexual assault. The service will also provide education and support to government and non-government stakeholders on the operation of the privilege.

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

In accordance with the Queensland Government Guide to Better Regulation, the Office of Best Practice Regulation was not consulted in relation to the regulatory proposal. The department applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category (g) – Regulatory proposals that are of a machinery nature).