

South Australia



**CRIMINAL LAW (SENTENCING) (VICTIM IMPACT
STATEMENTS) AMENDMENT ACT 1998**

No. 48 of 1998

SUMMARY OF PROVISIONS

1. Short title
2. Commencement
3. Insertion of s. 7A
 - 7A. Victim impact statements



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ELIZABETHAE II REGINAE

A.D. 1998

No. 48 of 1998

An Act to amend the Criminal Law (Sentencing) Act 1988.

[Assented to 3 September 1998]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Criminal Law (Sentencing) (Victim Impact Statements) Amendment Act 1998*.

(2) The *Criminal Law (Sentencing) Act 1988* is referred to in this Act as "the principal Act".

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Insertion of s. 7A

3. The following section is inserted after section 7 of the principal Act:

Victim impact statements

7A. (1) A person who has suffered injury, loss or damage resulting from an indictable offence committed by another may furnish the trial court with a written personal statement (a "victim impact statement") about the impact of that injury, loss or damage on the person and his or her family.

(2) A victim impact statement must comply with and be furnished in accordance with rules of court.

(3) The court, on convicting the defendant of the offence—

(a) will, if the person so requested when furnishing the statement, allow the person an opportunity to read the statement out to the court; and

(b) in any other case, will cause the statement to be read out to the court.

(4) The validity of a sentence is not affected by non-compliance or insufficient compliance with this section.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

E. J. NEAL Governor