



Crimes (Sentencing Procedure) Amendment (Victim Impact Statements) Bill.

Second Reading

The Hon. JOHN HATZISTERGOS (Minister for Justice, and Minister Assisting the Premier on Citizenship) [3.57 p.m.]:
I move:

That this bill be now read a second time.

I seek leave to incorporate the second reading speech in *Hansard*.

Leave granted.

In line with the continuing Government commitment to ensuring that victims of crime have a voice to be heard in the courts of NSW, this Bill represents another step along the path of victims of crime related reforms that this Government has been responsible for.

As announced by the Premier in August 2003, the Government will allow the victims of violent crimes to have their victim impact statements heard in Local Courts. At present a victim impact statement may only be received by the Local Court where the offence being dealt with has resulted in a death, or it is an offence for which a higher maximum penalty may be imposed where death is occasioned. However, there are many very serious offences dealt with in the Local Court that are not covered by this existing provision.

The proposed change would enable the Local Court to receive victim impact statements when an indictable offence listed in Table 1 to Schedule 1 of the *Criminal Procedure Act 1986* is dealt with summarily and results in either actual physical bodily harm to any person, or involves an act of actual or threatened violence or an act of sexual assault. Once the Local Court has received a victim impact statement, this would also entitle the victim to read out the victim impact statement at such time as the Local Court determines, following conviction but prior sentencing.

The offences listed in Table 1 to Schedule 1 to the *Criminal Procedure Act 1986* are indictable offences that are to be dealt with summarily unless the prosecutor or the person charged elects otherwise. This includes offences such as malicious wounding, maliciously inflicting grievous bodily harm, aggravated indecent assault, and dangerous driving occasioning grievous bodily harm. These are serious offences resulting in actual physical violence or threatened violence or an actual sexual assault. Allowing victim impact statements in these cases would assist Magistrates in imposing appropriate sentences and would provide a reminder prior to sentencing of the objective seriousness of an offence.

I commend the Bill to the House.

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