



# Victims' Rights Amendment Act 2011

Public Act 2011 No 95  
Date of assent 17 October 2011  
Commencement see section 2

## Contents

	Page
1 Title	1
2 Commencement	2
3 Principal Act amended	2
4 Procedure before ascertaining information from victim	2
5 Form and verification of information ascertained	2
6 New section 21A inserted	2
21A Victim impact statement may be used for purpose of sentence indication	2
7 Transitional provision regarding submitting victim impact statement for purpose of sentence indication	3
8 Other amendments to principal Act	3
<b>Schedule</b>	<b>4</b>
<b>Amendments to principal Act</b>	

---

**The Parliament of New Zealand enacts as follows:**

- 1 Title**  
This Act is the Victims' Rights Amendment Act 2011.

**2 Commencement**

- (1) Sections 4 to 7 come into force on a date appointed by the Governor-General by Order in Council.
- (2) The rest of this Act comes into force on a date appointed by the Governor-General by Order in Council.
- (3) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

**3 Principal Act amended**

This Act amends the Victims' Rights Act 2002.

**4 Procedure before ascertaining information from victim**

Section 18(a)(i) is amended by inserting “and may be used by a judicial officer for the purpose of giving the accused a sentence indication” after “offender”.

**5 Form and verification of information ascertained**

- (1) Section 19(3)(a) is amended by inserting “and might be used by a judicial officer for the purpose of giving the accused a sentence indication” after “offender”.
- (2) Section 19(4) is amended by repealing paragraph (a) and substituting the following paragraphs:
  - “(a) advised the victim that—
    - “(i) it was for submission to the judicial officer sentencing the offender; and
    - “(ii) it might also be used by a judicial officer for the purpose of giving the accused a sentence indication; and
  - “(ab) advised the victim that he or she was required to ensure that any information that he or she gave is true; and”.

**6 New section 21A inserted**

The following section is inserted after section 21:

**“21A Victim impact statement may be used for purpose of sentence indication**

A victim impact statement within the meaning of section 22 of this Act may be submitted to a judicial officer for the purpose

of giving a sentence indication under section 61 of the Criminal Procedure Act 2011.”

**7 Transitional provision regarding submitting victim impact statement for purpose of sentence indication**

A victim impact statement may be submitted under section 21A of the principal Act (as inserted by section 6 of this Act) even if it was prepared before the date on which section 6 came into force.

**8 Other amendments to principal Act**

The principal Act is amended as set out in the Schedule.

---

---

## Schedule

### Amendments to principal Act

s 8

**Section 12**

Subsection (2)(c): omit “defended hearing, or trial,” and substitute “trial”.

Subsection (4): omit “the Criminal Justice Act 1985 or any other” and substitute “any”.

**Section 35(3)(b)**

Omit “section 142A(1) of the Criminal Justice Act 1985” and substitute “section 34A(1) of the Corrections Act 2004”.

---

#### Legislative history

29 September 2011	Divided from Criminal Procedure (Reform and Modernisation) Bill (Bill 243–2) by committee of the whole House as Bill 243–30
4 October 2011	Third reading
17 October 2011	Royal assent

---

This Act is administered by the Ministry of Justice.

---