

c2025-176D
GRNS--The Greens

LEGISLATIVE COUNCIL

Victims Rights and Victims of Crime Commissioner Bill 2025

First print

Proposed amendments

- No. 1 **Meaning of “victim of crime”**
Page 2, clause 5(1)(b), line 21. Omit “, paragraph (b)”.
- No. 2 **Meaning of “victim of crime” for purposes of Charter**
Page 2, clause 5. Insert after line 30—
(5) For the purposes of the Charter, a victim includes a person acting on behalf of a person who is a victim of crime under subsection (1).
- No. 3 **Commissioner may recommend changes to Charter**
Page 5, clause 8. Insert after line 44—
(3A) The Commissioner may make recommendations to the Minister about changes to the Charter, including the following, after conducting research, consultation with victims of crime and consideration of systemic evidence about matters that impact on victims of crime—
(a) the addition of new rights to the Charter,
(b) the expansion of existing rights set out in the Charter,
(c) means of strengthening the enforceability of rights set out in the Charter.
- No. 4 **Providing support to persons making complaints about alleged contravention of Charter**
Page 7, clause 11(2)(a), line 19. Omit “help”. Insert instead “support”.
- No. 5 **Qualifications and experience of Victims of Crime Commissioner**
Page 9, clause 15. Insert after line 3—
(1A) The Minister may recommend a person for appointment as the Victims of Crime Commissioner only if, in the Minister’s opinion, the person has—
(a) suitable qualifications for appointment as the Commissioner having regard to the Commissioner’s functions, and
(b) experience working with victims of crime.
- No. 6 **Commissioner’s functions**
Page 11, clause 22(1). Insert after line 11—

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- (e1) to investigate, advise on and make recommendations about structural issues with the Scheme,

No. 7 Minister and agencies to respond to Commissioner's recommendations

Page 11, clause 22. Insert after line 26—

- (2A) A Minister or agency to whom a recommendation is made by the Commissioner in exercising the Commissioner's functions must provide a written response to the Commissioner advising—
- (a) whether or not the recommendation has been adopted, and
 - (b) if the recommendation has not been adopted—the reasons for the refusal or failure to adopt the recommendation.
- (2B) A response under subsection (2A) must be provided by—
- (a) the day that is 6 months after the recommendation is made, or
 - (b) the later day requested by the Minister or agency and agreed by the Commissioner.

No. 8 Commissioner to act independently

Page 11, clause 22(3), line 27. Insert “independently and” after “act”.

No. 9 Commissioner's independence

Page 12, clause 24, line 5. Omit “the Minister”. Insert instead “any person, including the Minister,”

No. 10 Requirement to establish advisory committee

Page 12, clause 25(1), line 8. Omit “may”. Insert instead “must”.

No. 11 Number of members of advisory committee

Page 12, clause 25(3)(b), line 15. Omit “not more than”. Insert instead “at least”.

No. 12 Membership of advisory committee to include person living with disability

Page 12, clause 25(3)(b)(i), lines 17 and 18. Omit all words on the lines. Insert instead—

- (i) reflect the diversity of the general community and includes—
 - (A) at least one person who is an Aboriginal person, and
 - (B) at least one person who is a person living with a disability, and

No. 13 Membership of advisory committee to include person with experience of domestic and family violence or sexual violence

Page 12, clause 25(3)(b)(ii), line 20. Insert “, including, for at least one member, relevant knowledge of and experience in matters relating to victims of domestic and family violence or victims of sexual violence crime” after “are victims of crime”.

No. 14 Powers of Commissioner relating to investigating systemic issues

Page 13, clause 27(1), line 6. Insert “or systemic issues relating to the Charter” after “Charter”.

No. 15 Exemption from requirement to give information—GIPA

Page 13, clause 28(a), lines 31–33. Omit all words on the lines.

No. 16 Annual report

Page 15, clause 30(2)(b)(vi), line 18. Omit “section 14(1)(d).”. Insert instead—
section 14(1)(d),

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- (c) information about recommendations made by the Commissioner to the Minister or agencies and the responses to the recommendations, including whether the recommendations have been adopted and the reasons for not adopting recommendations.