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Bills Backgrounder
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Sheriff Bill 2008

This Bills Backgrounder provides web links to legislation, reports, documents and statistics relating to issues raised by this bill before the Victorian Parliament.

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Bills, Acts & Regulations

[Sheriff Bill 2008](#)

[Explanatory Memorandum](#) and [Statement of Compatibility](#) and Minister's [Second Reading](#)

[Supreme Court Act 1986](#) (see Sect 114 - 129)

[Magistrates' Court Act 1989](#) (see Sect 82 and 111 Sheriff's powers & enforcement orders)

[Sentencing Act](#) (see Sect 62 fines & warrants issued by Sheriffs)

[Crimes Act](#) (see Sect 414 on issuing subpoenas in criminal cases)

[Supreme Court \(General Civil Procedure\) Rules 2005](#) (see 12.03 for sheriff's interpleader procedures and 12.04 for Sheriff's summons to state claims)

[Supreme Court \(Sheriff 's Fees\) Regulations 2007](#)

[Subordinate Legislation \(Supreme Court \(Sheriff 's Fees\) Regulations 1996 - Extension of Operation\) Regulations 2006](#)

[Magistrates' Court \(Civil Jurisdiction\) \(Sheriff 's Fees\) Regulations 2001](#)

[Supreme Court \(General Civil Procedure\) Rules 2005](#)

For additional Acts and Regulations referring to the Sheriff, search the [Law Today](#).

History of the Sheriff's Office

The role of the sheriff is historically entrenched as an officer of the Crown, and is recognised in the laws of Wessex as far back as the eighth century. The word sheriff comes directly from the Anglo-Saxon word "Scir-gerefa" or "Shire-reeve", meaning the bailiff or manager of the shire. From these beginnings it is perhaps surprising that the office has maintained its relevance under the modern legal system in Australia and Victoria. In Victoria, the sheriff operates out of the Department of Justice.

NSW Office of the Sheriff has some historical background [here](#) and NSW police [here](#).

SA Sheriff's Office has more history [here](#).

Sheriff's Officers are responsible for actioning warrants in Victoria. Sheriff's Operations employs 150 Sheriff's Officers in these [Sheriff's Offices](#) throughout Victoria. They enforce sanctions against those who do not comply with court orders. Victorian sheriffs execute approximately 515,000 criminal warrants and 10,000 civil warrants annually.

See this [Wikipedia](#) entry for more on the history of the Sheriff.

Related Organisation and documents

Details of the Sheriff's Operations are provided on this Department of Justice [webpage](#). For a Sheriff Officer's profile go [here](#).

The [Victorian Government Solicitor's Office](#) also has some useful background to the Sheriff's office, plus this handy downloadable [guide](#).

The Victorian Government has changed the infringements system, introducing a new initiative called '[Fines: Fairer and Firmer](#)'. The initiative includes legislation (The Infringements Act 2006) to impose new enforcement measures on people with unpaid fines. Under the legislation, the Sheriff's Office has the power to direct [VicRoads](#) to impose registration and licensing sanctions for unpaid fines. The Sheriff's Office may direct [VicRoads](#) to: 1. suspend a driver licence or permit; and/or 2. suspend the registration of a motor vehicle or trailer.

[Residential Tenancies Bond Authority](#)

This 2005 Auditor-General's Report includes the results of a special audit examining the Sheriff's Office enforcement of warrants for the recovery of outstanding fines and fees (see [Chapter 3](#) of the report).

[Victorian Legal Aid](#) provide information on what a Sheriff is able to do once they have entered a property.

Victorian Law Reform Committee report on [Warrant Powers and Procedures](#) and [government response](#)

See also Victorian [Government Media Releases](#)

Sheriffs in Other Jurisdictions

NSW [Office of the Sheriff](#)

NT [Office of the Sheriff](#)

SA [Office of the Sheriff](#)

WA [Office of the Sheriff](#)

Overseas

[High Sheriffs of England and Wales](#)

[Scotland](#)

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