

SECTION 40. PARLIAMENTARY COMMITTEES ACT 1968

Government response to the recommendations of the Law Reform Committee

Final Report on Restitution for Victims of Crime

1. It is accepted that the interests of victims of crime have been neglected by the criminal justice system. The recently enacted *Sentencing (Victim Impact Statement) Act 1994* has in part redressed this problem. However, there is concern that victims of crime frequently sustain loss as a result of the commission of a crime which is not restored by the offender. The Committee undertook research into the role that reparation may play in the sentencing process and its relationship to current sentencing options.
2. In November 1993 the Committee produced an interim report after receiving numerous submissions. The interim report made a number of draft recommendations, raised various issues and sought further submissions from the public. The interim recommendations in the report provoked further consideration of some fundamental issues such as whether reparation should be a stated aim of the sentencing process.
3. In its final report the Committee has concluded that the main purpose of reparation orders should be to compensate the victims of crime by providing victims with an order which could be enforced in the same manner as a civil order. The Committee's recommendations focus on the practicalities of facilitating the making of such orders. A draft Bill for an Act entitled the *Sentencing (Reparation) Amendment Act 1994* was also produced by the Committee. The practical issues involved in the making of the orders and the support services required for victims were considered in detail. The Government appreciates the considerable time and effort which the Committee has expended in preparing the report.
4. The Government supports the Committee's general recommendation that the criminal justice system should include a process for restitution for victims of crime. The recommendations made by the Committee raise numerous complex and difficult issues which require careful and detailed consideration. Some of these recommendations need to be considered in conjunction with the recently received research report by the Community Council Against Violence on Services for Victims of Crime. They are also relevant to other areas of the criminal law which are currently being reviewed. A detailed response to each of the Committee's recommendations will be made following further consideration of the issues raised by the report.