

2010 No. 129 (C. 16)

CRIMINAL LAW, ENGLAND AND WALES

**The Domestic Violence, Crime and Victims Act 2004
(Commencement No. 13) Order 2010**

Made - - - -

25th January 2010

The Secretary of State makes the following Order in exercise of the powers conferred by section 60 of the Domestic Violence, Crime and Victims Act 2004^(a):

Citation

1. This Order may be cited as the Domestic Violence, Crime and Victims Act 2004 (Commencement No. 13) Order 2010.

Commencement

2. The following provisions of the Domestic Violence, Crime and Victims Act 2004 shall come into force on 1st February 2010—

- (a) section 48 (Commissioner for Victims and Witnesses), section 49 (general functions of Commissioner) and section 50 (advice)^(b);
- (b) section 51 (restrictions on exercise of functions);
- (c) section 52 (“victims” and “witnesses”);
- (d) section 53 and Schedule 9 (authorities within Commissioner’s remit)^(c); and
- (e) section 54 (disclosure of information), so far as it is not already in force^(d).

Signed by the authority of the Secretary of State

Claire M Ward
Parliamentary Under Secretary of State
Ministry of Justice

25th January 2010

(a) 2004 c. 28.

(b) Each of these sections were amended by section 142 of the Coroners and Justice Act 2009 (c. 25) and sections 48 and 49 were amended by S.I. 2007/2128.

(c) Section 53 was amended by S.I. 2007/2128 and Schedule 9 was amended by S.I. 2006/1926, S.I. 2007/2128, S.I. 2007/3224, S.I. 2008/912 and S.I. 2009/2748.

(d) Section 54 was amended by S.I. 2007/2128 and S.I. 2008/912.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st February 2010 sections 48 to 53 and the remaining provisions of section 54 of the Domestic Violence, Crime and Victims Act 2004 (c. 28), and Schedule 9 to that Act.

Those provisions require the Secretary of State to appoint a Commissioner for Victims and Witnesses, provide for the functions of the Commissioner, and make related provision. Some of those provisions were amended by section 142 of the Coroners and Justice Act 2009 (c. 25) immediately before their coming into force by virtue of this Order.

The functions of the Commissioner include: promoting the interests of victims and witnesses; taking such steps as the Commissioner considers appropriate with a view to encouraging good practice in the treatment of victims and witnesses; giving advice in certain circumstances and keeping under review the operation of the code of practice for victims issued by the Secretary of State under section 32 of the 2004 Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	1st July 2007	2007/1845
Sections 2 to 3	5th December 2005	2005/3196
Section 4	1st July 2007	2007/1845
Sections 5 to 8	21st March 2005	2005/579
Section 10(2)	1st July 2005	2005/1705
Section 11	31st March 2005	2005/579
Section 12	30th September 2009	2009/2501
Section 13	30th September 2009	2009/2501
Section 14	1st April 2007	2007/602
Sections 17 to 21	8th January 2007	2006/3423
Sections 22 to 26	31st March 2005	2005/579
Section 270	18th July 2005	2005/1821
Sections 28 to 29	31st March 2005	2005/579
Section 30	8th January 2007	2006/3423
Section 31	31st March 2005	2005/579
Sections 32 to 34	12th October 2005	2005/2848
Sections 35 to 45	1st July 2005	2005/1705
Section 46	14th December 2008	2008/3065
Section 47	12th October 2005	2005/2848
Section 54 (in part)	12 October 2005	2005/2848
Section 55	4th October 2006	2006/2662
Section 56	8th January 2007	2006/3423
Section 58 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
(in part)	8th January 2007	2006/3423
(in part)	1st April 2007	2007/602
(in part)	1st July 2007	2007/1845
(in part)	1st July 2007	2007/1845
(in part)	30th September 2009	2009/2501
(in part)	30th September 2009	2009/2616
Section 59 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
(in part)	1st April 2007	2007/602
(in part)	1st July 2007	2007/1845
(in part)	30th September 2009	2009/2616
Schedule 1	8th January 2007	2006/3423
Schedule 2	31st March 2005	2005/579
Schedule 3	31st March 2005	2005/579
Schedule 4	18th July 2005	2005/1821
Schedule 5	31st March 2005	2005/579
Schedule 6	31st March 2005	2005/579
Schedule 7	12th October 2005	2005/2848
Schedule 10 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
(in part)	5th December 2005	2005/3196

(in part)	8th January 2007	2006/3423
(in part)	1st April 2007	2007/602
(in part)	1st July 2007	2007/1845
(in part)	30th September 2009	2009/2501
(in part)	30th September 2009	2009/2616
Schedule 11 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
(in part)	5th December 2005	2005/3196
(in part)	1st July 2007	2007/1845
(in part)	30th September 2009	2009/2501
(in part)	30th September 2009	2009/2616
Schedule 12 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
(in part)	1st April 2007	2007/602
(in part)	1st July 2007	2007/1845
(in part)	30th September 2009	2009/2616

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