

2026

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Human Rights)

# Victims of Crime Legislation Amendment Bill 2026

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(Minister for Human Rights)

# **Victims of Crime Legislation Amendment Bill 2026**

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## **A Bill for**

An Act to amend legislation about victims of crime, and for other purposes

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

|    |               |                                                                          |
|----|---------------|--------------------------------------------------------------------------|
| 1  | <b>Part 1</b> | <b>Preliminary</b>                                                       |
| 2  | <b>1</b>      | <b>Name of Act</b>                                                       |
| 3  |               | This Act is the <i>Victims of Crime Legislation Amendment Act 2026</i> . |
| 4  | <b>2</b>      | <b>Commencement</b>                                                      |
| 5  | (1)           | This Act (other than the provisions mentioned in subsection (2))         |
| 6  |               | commences on the day after its notification day.                         |
| 7  | <i>Note</i>   | The naming and commencement provisions automatically commence on         |
| 8  |               | the notification day (see <a href="#">Legislation Act</a> , s 75 (1)).   |
| 9  | (2)           | The following provisions commence on 1 July 2027:                        |
| 10 |               | • sections 5 to 9                                                        |
| 11 |               | • section 15                                                             |
| 12 |               | • section 18                                                             |
| 13 |               | • part 5                                                                 |
| 14 |               | • schedule 1.                                                            |
| 15 | <b>3</b>      | <b>Legislation amended</b>                                               |
| 16 |               | This Act amends the legislation mentioned in parts 2 to 5 and            |
| 17 |               | schedule 1.                                                              |

## Part 2 Victims of Crime Act 1994

### 4 Police to update victims about status of investigations Section 16A (4), definition of *change in status of an investigation*, paragraph (b)

*omit*

issue

*substitute*

apply for

### 5 Part 5

*substitute*

## Part 5 Victims of crime levy

### 23 Definitions—pt 5

In this part:

***convicted***—a person is ***convicted*** of an offence if—

- (a) the person is convicted or found guilty of the offence; or
- (b) the offence is taken into account in making a sentence-related order for the person for another offence under the *Crimes (Sentencing) Act 2005*, section 57; or
- (c) the person is charged with the offence and an order is made under the *Crimes Act 1914* (Cwlth), section 19B (1) in relation to the offence.

***offence*** means an offence dealt with by the Supreme Court or the Magistrates Court other than an offence prescribed by regulation.

- 1     **24           Imposition of victims of crime levy**
- 2           (1) A levy (the *victims of crime levy*) is imposed to provide a source of
- 3           revenue—
- 4           (a) to improve services for victims of crime; and
- 5           (b) to contribute to the cost of providing financial assistance to
- 6           victims of crime under the *Victims of Crime (Financial*
- 7           *Assistance) Act 2016*.
- 8           (2) A person who is convicted of an offence is liable to pay the Territory
- 9           a victims of crime levy for the offence.
- 10          *Note*     A victims of crime levy is recoverable under the *Crimes (Sentence*
- 11          *Administration) Act 2005*, ch 6A (Court imposed fines).
- 12          (3) Subsection (2) applies only if the person was an adult at the time of
- 13          the offence.
- 14          (4) The victims of crime levy is in addition to, and does not form part of,
- 15          any pecuniary penalty imposed in relation to the offence.
- 16     **25           Amount of victims of crime levy**
- 17           The amount of the victims of crime levy is prescribed by regulation.
- 18     **26           Victims of crime levy must not be reduced**
- 19           (1) A court must not reduce a victims of crime levy payable by a person
- 20           for an offence.
- 21           (2) However, a court may exempt a person from liability to pay a victims
- 22           of crime levy if satisfied that paying the levy is likely to cause undue
- 23           hardship.

- 1     **27**           **Effect of appeals etc**
- 2           (1) The commencement of any proceeding to appeal against, or for
- 3           review of, a conviction for an offence for which a victims of crime
- 4           levy is imposed on a person stays the person's liability to pay the levy.
- 5           (2) Setting aside the conviction annuls the person's liability to pay the
- 6           victims of crime levy.
- 7           (3) The dismissal of the appeal or review removes the stay of liability.
- 8     **6**           **Dictionary, new definition of *convicted***
- 9           *insert*
- 10          *convicted*, for part 5 (Victims of crime levy)—see section 23.
- 11     **7**           **Dictionary, definition of *offence*, paragraph (b)**
- 12           *omit*
- 13           (Victims services levy)
- 14           *substitute*
- 15           (Victims of crime levy)
- 16     **8**           **Dictionary, new definition of *victims of crime levy***
- 17           *insert*
- 18          *victims of crime levy*—see section 24 (1).
- 19     **9**           **Dictionary, definition of *victims services levy***
- 20           *omit*

1 **Part 3** **Victims of Crime (Financial**  
2 **Assistance) Act 2016**

3 **10** **Meaning of *primary victim***  
4 **Section 11, definition of *primary victim***

5 *after*

6 violence

7 *insert*

8 against the person

9 **11** **CPI indexation of certain prescribed amounts**  
10 **Section 25**

11 *omit*

12 **12** **New section 36A**

13 *insert*

14 **36A** **Application lapses if further information not provided**

- 15 (1) This section applies to an application for financial assistance if the  
16 commissioner gives the applicant a written notice under  
17 section 38 (b) (a *section 38 notice*).
- 18 (2) The application lapses 1 year after the day the commissioner gives  
19 the applicant the section 38 notice if—
- 20 (a) the applicant has failed to comply with the section 38 notice; and
- 21 (b) the commissioner is not satisfied that the applicant has a  
22 reasonable excuse for failing to comply with the  
23 section 38 notice; and

1 (c) the commissioner has given the applicant notice, at least twice,  
2 that the application will lapse under this section unless the  
3 applicant complies with the section 38 notice.

4 (3) If an application lapses under this section, the applicant may reapply  
5 for financial assistance under this part.

6 *Note* See s 32 (Time for making application).

7 **13 Circumstances in which financial assistance must not be**  
8 **given**  
9 **New section 45 (1) (f) and (1A)**

10 *insert*

11 (f) the applicant made a previous application in relation to the same  
12 act of violence and has no reasonable grounds to make another  
13 application.

14 (1A) Subsection (1) (f) does not apply if the previous application had  
15 lapsed.

16 **14 Section 45 (4)**

17 *after*

18 to the applicant

19 *insert*

20 for that application

21 **15 Victims financial assistance levy**  
22 **Part 7**

23 *omit*

1 **16 WPI indexation of lawyers legal costs**  
2 **Section 97**

3 *omit*

4 **17 Internally reviewable decisions**  
5 **Schedule 2, part 2.1, new item 1A**

6 *insert*

|    |    |                                                                                                      |                                    |
|----|----|------------------------------------------------------------------------------------------------------|------------------------------------|
| 1A | 45 | financial assistance not to be given because of disqualifying circumstance mentioned in s 45 (1) (f) | applicant for financial assistance |
|----|----|------------------------------------------------------------------------------------------------------|------------------------------------|

7 **18 Dictionary, definitions of *convicted*, *convicts* and *offence***

8 *omit*

## Part 4 Victims of Crime (Financial Assistance) Regulation 2016

### 19 Section 5

*substitute*

#### 5 Maximum total financial assistance—Act, s 24

- (1) The following amounts are prescribed:
  - (a) for the financial year beginning on 1 July 2026—
    - (i) if the application for financial assistance relates only to an act of violence that occurs in the course of an offence mentioned in the [Act](#), schedule 1, division 1.2.2 (Family violence offences)—\$13 590; and
    - (ii) otherwise—the following:
      - (A) for a primary victim—\$67 959;
      - (B) for a class A related victim—\$40 773;
      - (C) for a class B related victim—\$27 183;
      - (D) for a class C related victim—\$13 590;
      - (E) for a homicide witness—\$13 590;
  - (b) for each later financial year—the amounts worked out in accordance with subsections (2) to (4) for the year.
- (2) The amounts for each later financial year must be worked out as follows:

$$\text{FY26-27 maximum} \times \frac{\text{current index number}}{\text{initial index number}}$$

***current index number*** means the CPI for the March quarter in the financial year immediately before the financial year for which the amount is worked out.

- 1           ***FY26–27 maximum*** means each amount mentioned in  
2           subsection (1) (a).
- 3           ***initial index number*** means the CPI for the March 2026 quarter.
- 4           (3) An amount must be rounded up to the closest dollar.
- 5           (4) If an amount worked out for a financial year (the ***new year***) is less  
6           than the amount for the previous financial year, the amount for the  
7           previous financial year applies to the new year.
- 8           (5) An amount worked out in accordance with subsections (2) to (4) must  
9           be published in a notice by the Minister.
- 10          (6) A notice is a notifiable instrument.
- 11          (7) In this section:
- 12           ***CPI*** means the All Groups Consumer Price Index (Canberra)  
13           published from time to time by the Australian statistician.

14   **20       Section 12**

15           *substitute*

16   **12       Limitation on lawyers legal costs—Act, s 96 (1)**

- 17           (1) The following amounts are prescribed:
- 18           (a) for the financial year beginning on 1 July 2026—
- 19               (i) for legal services relating to an application for financial  
20               assistance—\$1 455; and
- 21               (ii) for legal services relating to an appeal or review process  
22               under the Act—\$2 910;
- 23           (b) for each later financial year—the amounts worked out in  
24           accordance with subsections (2) to (4) for the year.

- 1           (2) The amounts for each later financial year must be worked out as  
2 follows:

3                               
$$\text{FY26–27 limit} \times \frac{\text{current index number}}{\text{initial index number}}$$

4           *current index number* means the WPI for the March quarter in the  
5 financial year immediately before the financial year for which the  
6 amount is worked out.

7           *FY26–27 limit* means an amount mentioned in subsection (1) (a).

8           *initial index number* means the WPI for the March 2026 quarter.

- 9           (3) An amount must be rounded up to the closest dollar.

- 10          (4) If an amount worked out for a financial year (the *new year*) is less  
11 than the amount for the previous financial year, the amount for the  
12 previous financial year applies to the new year.

- 13          (5) An amount worked out in accordance with subsections (2) to (4) must  
14 be published in a notice by the Minister.

- 15          (6) A notice is a notifiable instrument.

- 16          (7) In this section:

17               *WPI* means the Wage Price Index, Australia published from time to  
18 time by the Australian statistician.

## Part 5 Victims of Crime Regulation 2000

### 21 New part 3A

*insert*

## Part 3A Victims of crime levy

### 47AA Victims of crime levy—excluded offences—Act, s 23, def offence

The following offences are prescribed:

- (a) an offence mentioned in schedule 2;
- (b) an offence under the *Heavy Vehicle National Law (ACT)*.

### 47AB Amount of victims of crime levy—Act, s 25

(1) The following amounts are prescribed:

- (a) for the financial year beginning on 1 July 2027—\$200;
- (b) for each later financial year—the amount worked out in accordance with subsections (2) to (4) for the year.

(2) The amount for each later financial year must be worked out as follows:

$$\$200 \times \frac{\text{current index number}}{\text{initial index number}}$$

**current index number** means the CPI for the March quarter in the financial year immediately before the financial year for which the amount is worked out.

**initial index number** means the CPI for the March 2027 quarter.

- 1           (3) An amount must be rounded up to the closest dollar.
- 2           (4) If an amount worked out for a financial year (the *new year*) is less
- 3           than the amount for the previous financial year, the amount for the
- 4           previous financial year applies to the new year.
- 5           (5) An amount worked out in accordance with subsections (2) to (4) must
- 6           be published in a notice by the Minister.
- 7           (6) A notice is a notifiable instrument.
- 8           (7) In this section:
- 9           *CPI* means the All Groups Consumer Price Index (Canberra)
- 10          published from time to time by the Australian statistician.

11   **22       Victims services levy—excluded offences—Act, s 23**

12   **Section 49A**

13           *omit*

14   **23       Schedule 2 heading and reference**

15           *substitute*

16   **Schedule 2       Victims of crime levy—**

17   **excluded offences**

18    (sec s 47AA (a))

## Schedule 1 Consequential amendments

(see s 3)

### Part 1.1 Crimes (Sentence Administration) Act 2005

#### [1.1] Section 116A, definition of *fine*, paragraphs (d) and (e)

*substitute*

(d) a victims of crime levy imposed under the *Victims of Crime Act 1994*; or

#### [1.2] Section 116C (2), note

*omit*

victims services levy

*substitute*

victims of crime levy

#### [1.3] Section 116ZR (c) and (d)

*substitute*

(c) a victims of crime levy imposed under the *Victims of Crime Act 1994*;

victims of crime levy imposed under the *Victims of Crime Act 1994*

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 17 September 2026.

**2 Notification**

Notified under the [Legislation Act](#) on 2026.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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