

*These notes refer to the Domestic Violence, Crime and Victims Act 2004 (c.28) which received Royal Assent on 15 November 2004*

# **DOMESTIC VIOLENCE, CRIME AND VICTIMS ACT 2004**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 3: Victims Etc**

##### **Hospital direction**

##### ***Section 39: Victims' rights: preliminary***

123. *Section 39* applies instead of *section 35* by virtue of *section 35(2)* where the sentencing court makes a hospital direction and limitation direction in respect of an offender in addition to giving him a relevant prison sentence. The local probation board has the same responsibility to take reasonable steps to establish whether the victim of the offence wishes to make representations, broadly, about whether the offender should be subject to conditions or supervision requirements in the event of his discharge or release from hospital or prison (and if so what conditions or requirements). The board must also establish whether the victim wishes to receive information about the conditions or requirements to which the offender is to be subject in the event of his release or discharge.