

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

Transfer directions

Section 57: Recovery of criminal injuries compensation from offenders

157. *Section 57* amends the Criminal Injuries Compensation Act 1995. Subsection (2) inserts new sections 7A, 7B, 7C and 7D into that Act. Section 7A gives the Secretary of State power to make regulations enabling the Criminal Injuries Compensation Authority to recover from offenders the money it has paid in compensation to their victims under the Criminal Injuries Compensation Scheme. Section 7B provides for a person from whom an amount has been determined as recoverable under those regulations to be given a recovery notice. Section 7C sets out a procedure for a review of a determination that an amount is recoverable from a person and the amount determined as recoverable. Section 7D provides that an amount determined as recoverable from a person is recoverable as a debt due to the Crown. Section 7D also sets out defences that may be relied on by a person from whom an amount is sought to be recovered, and makes provision about limitation. Parallel legislation will be required by the Scottish Parliament to extend this power to Scotland.