



# Domestic Violence, Crime and Victims Act 2004

## 2004 CHAPTER 28

### PART 3

#### VICTIMS ETC

### CHAPTER 2

#### REPRESENTATIONS AND INFORMATION

#### *Transfer directions*

#### **42 Victims' rights: preliminary**

- (1) This section applies if—
  - (a) a person (“the offender”) is convicted of a sexual or violent offence,
  - (b) a relevant sentence is imposed on him in respect of the offence, and
  - (c) while the offender is serving the sentence, the Secretary of State gives a transfer direction and a restriction direction in respect of him.
- (2) The local probation board for the area in which the hospital specified in the transfer direction is situated must take all reasonable steps to ascertain whether a person who appears to the board to be the victim of the offence or to act for the victim of the offence wishes—
  - (a) to make representations about the matters specified in subsection (3);
  - (b) to receive the information specified in subsection (4).
- (3) The matters are—
  - (a) whether the offender should be subject to any conditions in the event of his discharge from hospital;
  - (b) if so, what conditions.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The information is information about any conditions to which the offender is to be subject in the event of his discharge from hospital.