Draft Regulations laid before Parliament under section 79(5) of the Victims and Prisoners Act 2024, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No.

CONTRACTS, ENGLAND AND WALES

CRIMINAL LAW, ENGLAND AND WALES

The Victims and Prisoners Act 2024 (Permitted Disclosures) Regulations 2025

Made - - - - ***

Coming into force in accordance with regulation 1(2)

The Secretary of State makes these Regulations in exercise of the power conferred by section 17(4)(a) of the Victims and Prisoners Act 2024(**a**).

In accordance with section 79(5) of that Act, a draft of these Regulations has been laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Victims and Prisoners Act 2024 (Permitted Disclosures) Regulations 2025.

(2) These Regulations come into force on the day after the day on which they are made.

(3) These Regulations extend to England and Wales.

Amendment to section 17 of the Victims and Prisoners Act 2024

2.—(1) Section 17 of the Victims and Prisoners Act 2024 (disclosures by victims that cannot be precluded by agreement) is amended as follows.

(2) In subsection (2)—

(a) after paragraph (e) insert—

"(ea) to the Criminal Injuries Compensation Authority, for the purpose of a claim for compensation in relation to relevant conduct under the Criminal Injuries Compensation Scheme or the Victims of Overseas Terrorism Compensation Scheme;

(**a**) 2024 c. 21.

(eb) to a court or tribunal, for the purpose of issuing or pursuing any proceedings in relation to a decision of the Criminal Injuries Compensation Authority made in connection with a claim mentioned in paragraph (ea);";

(b) in paragraph (f), for the words from "or (e)" to the end substitute ", (e) or (ea), or on behalf of a court or tribunal mentioned in paragraph (eb), for the purpose mentioned in the paragraph in question;".

(3) In subsection (6)—

(a) before the definition of "entitled to practise" insert—

""Criminal Injuries Compensation Scheme" means—

(a) the schemes established by arrangements made under section 1 of the Criminal Injuries Compensation Act 1995(**a**), or

(b) arrangements made by the Secretary of State for compensation for criminal injuries in operation before the commencement of those schemes;";

(b) in the definition of "qualified lawyer", after "2007" insert "or a person who is a registered foreign lawyer";

(c) after the definition of "qualified lawyer" insert—

""registered foreign lawyer" means a person who is registered with the Law Society under section 89 of the Courts and Legal Services Act 1990(**b**);";

(d) after the definition of "relevant conduct" insert—

""Victims of Overseas Terrorism Compensation Scheme" means the scheme established by arrangements made under section 47 of the Crime and Security Act 2010(**c**).".

Signed by authority of the Secretary of State

Name
Parliamentary Under Secretary of State
Ministry of Justice

DATE

(**a**) 1995 c. 53. Section 1 was amended by S.I. 2008/2933.
(**b**) 1990 c. 41. Section 89 was amended by paragraph 125 of Schedule 16 to the Legal Services Act 2007 (c. 29) and S.I. 2000/1119.
(**c**) 2010 c. 17.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 17(1) of the Victims and Prisoners Act 2024 ("the 2024 Act") provides that a provision in an agreement is void in so far as it purports to preclude the making of a disclosure falling within section 17(2). Section 17(2) provides that a disclosure will fall within that subsection if it is a disclosure of information that is made by a victim of crime, or a person who reasonably believes they are a victim of crime, to certain specified bodies (including those with law enforcement functions, qualified lawyers and individuals who provide a service to support victims) for certain specified purposes related to the criminal conduct (the "permitted disclosures"). These Regulations amend the permitted disclosures in section 17 of the 2024 Act.

Regulation 2 adds disclosures to the Criminal Injuries Compensation Authority ("CICA") to the list of permitted disclosures in section 17(2) of the 2024 Act for the purpose of a claim for compensation in relation to the criminal conduct under the Criminal Injuries Compensation Scheme or the Victims of Overseas Terrorism Compensation Scheme. Regulation 2 also adds disclosures to a court or tribunal to the list of permitted disclosures for the purpose of issuing or pursuing any proceedings in relation to a decision of CICA made in connection with any such claim. The effect of this is that a provision in an agreement will be void to the extent that it seeks to prevent a victim of crime, or a person who reasonably believes they are a victim of crime, from making a disclosure of information to CICA for the purpose of a claim for compensation in relation to the criminal conduct under the schemes that CICA administers or to a court or tribunal for the purpose of issuing or pursuing any proceedings in relation to a decision of CICA made in connection with any such claim.

Regulation 2 also adds registered foreign lawyers to the definition of "qualified lawyer" in section 17(6) of the 2024 Act. The effect of this is that a provision in an agreement will be void under section 17(1) of the 2024 Act to the extent that it seeks to prevent a victim of crime, or a person who reasonably believes they are a victim of crime, from making a disclosure of information to a registered foreign lawyer for the purpose of seeking legal advice about the criminal conduct.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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