

STATEMENT GUIDE

To the presiding judge/magistrate

In the matter of: _____
(offender's name)

Charge(s): _____

Before you: _____
(date)

Victim Impact Statement of:

(write your name here)

The following headings could be used:

Physical: _____

Emotional: _____

Financial: _____

Signed: _____

Date: _____

Contact

For assistance with your Victim Impact Statement, refer to the following information.

Victim Support Service

Level 2, District Court Building
500 Hay Street
PERTH WA 6000
Phone 9425 2850
Freecall 1800 818 988
Email vss@justice.wa.gov.au
Web www.justice.wa.gov.au/vss



Child Witness Service

Level 2, District Court Building
500 Hay Street
PERTH WA 6000
Phone 9425 2850
Freecall 1800 818 988
Email cws@justice.wa.gov.au
Web www.justice.wa.gov.au/cws



Victim Support Service and

Child Witness Service is available in a number of regional locations. For details of each location visit www.justice.wa.gov.au/vscws



If the offender is being sentenced in the District or Supreme Court, deliver your Victim Impact Statement to:

Office of the Director of Public Prosecutions
Ground Floor
55 St Georges Terrace
PERTH WA 6000
Phone 9425 3999
Fax 9425 3600

Office of the Commissioner for Victims of Crime

Web www.victimsofcrime.wa.gov.au

Department of Justice

Phone 13 67 57 Web www.justice.wa.gov.au



Government of Western Australia
Department of Justice
Court and Tribunal Services

Victim Impact Statement



What is a victim impact statement?

A victim impact statement tells the judge or magistrate about how a crime has affected you.

It may be taken into account when the offender is sentenced.

As the State prosecutes offenders, a victim impact statement may be the only opportunity you have to tell the court how a crime affected you.

For many people, it is important they have a say about something that has had a major impact on their lives.

When is a victim impact statement used?

It is used if the offender pleads guilty or is found guilty by the court.

The prosecutor presents your written victim impact statement to the court before the judge or magistrate decides the sentence. You do not have to attend.

Sometimes the prosecutor may read some or all of your statement to the court. The judge or magistrate may also refer to your victim impact statement when sentencing. This means that other people in the court (which may include the media) can hear your statement.

Sentencing can occur immediately after the offender is found guilty, or the judge or magistrate may set another time for sentencing.

Do I have to make a victim impact statement?

No. It is your choice whether you make a victim impact statement.

You may be asked by the police, court or prosecutor if you want to prepare a victim impact statement.

Or you can inform the court or prosecutor that you want to make a statement.

Can I make a verbal statement?

If you wish to make a verbal statement, please discuss with the prosecutor. They will then consult with the judge or magistrate who will make a formal decision.

Who gets to see my victim impact statement?

Three copies go to the court. One is for the judge or magistrate, one is for the prosecutor, and one is for the offender's lawyer. The offender usually gets to see your victim impact statement.

If there is a sentence of imprisonment the court must also make a copy of your Victim Impact Statement available to the Prisoners Review Board.

What do I include in my statement?

You might like to include:

- details of any physical injuries and the effect of these injuries on your life
- details of the emotional impact of the crime on you and your family
- where the crime has resulted in death, you may wish to talk about the deceased person and the life they led
- information about what your life was like before the crime if it has changed (including any career changes or loss of future prospects)
- details of the financial impact of the crime (such as lost wages, medical or counselling expenses, transportation costs, damage to property)
- any request for compensation or restitution to be considered by the court
- your signature and date
- any other information you think is important.

Is there anything I should not include in my statement?

You should not include:

- anything that is abusive or offensive
- details of the crime, as this is contained in your police statement
- how you would like the offender to be sentenced
- anything that is factually inaccurate.

How do I set out the information?

There is no set style for writing a victim impact statement and there is no limit to its length.

Please feel free to write it in your own way, covering all important points and making sure you sign and date it.

A suggested guide is available over the page.

Can I get someone to help me write a victim impact statement?

Any person can assist you, but it is important that the statement is in your own words. You can receive assistance from Child Witness Service and Victim Support Service in the Perth metropolitan area, and Victim Support and Child Witness Service based in various regional locations. Please see back page for contact details.

How do I lodge my victim impact statement?

If you have received assistance from Child Witness Service, Victim Support Service or Victim Support and Child Witness Service, they can assist you with lodging your victim impact statement.

If you are lodging your victim impact statement yourself and the matter is in the Magistrates Court or Children's Court, then you will need to lodge it to the Court before the date the offender is due to be sentenced.

If you are lodging your victim impact statement yourself and the matter is in the District Court or Supreme Court, then you will need to lodge it to the Office of the Director of Public Prosecutions. The contact details are on the back panel of this brochure.