



Victim Impact Statements

In the ACT, where the offender has been found guilty of, or pleaded guilty to the offence/s they are charged with, victims have a right to make a Victim Impact Statement (VIS) to the Court at the time of sentencing.

A VIS is a statement made to the Court, by or for a victim, that contains details of any impact to the victim because of the offence. It is an opportunity for victims to tell the Court how the offence has affected them and their families. The Magistrate or Judge will then consider this in determining an appropriate sentence to impose on the offender.

Making a VIS is **voluntary**.

Who can make a VIS?

Victim Impact Statements can be made by:

- A victim of the offence;
- A person who has parental responsibility for a victim of the offence;
- A close family member of a victim of the offence;
- A carer for a victim of the offence;
- A person with an intimate personal relationship with a victim of the offence.

How is a VIS used in Court?

The VIS can be presented to the Court by having it read aloud. You can do this yourself or the prosecutor/a representative of your choosing can do this on your behalf. If you don't want it to be read aloud, the VIS will be handed up to the Magistrate or Judge. Which option you select is completely up to you.

If you want to read out your VIS yourself but you don't want to do it in Court in the same room as the offender, you can contact the ACT Office of the Director of Public Prosecutions (ACT DPP) to ask if you are eligible to read out your VIS by audio-visual link.

Who sees my VIS?

A copy of your VIS will be seen by the prosecutor, the offender and the defence lawyer representing the offender. The Magistrate or Judge who is hearing the matter will also see the VIS. If you decide that you would like your VIS read to the court, then whoever is present in the Court will also hear it, including any media present. If you have any questions or concerns about this, please contact the ACT DPP.

What do I include in my VIS?

A Victim Impact Statement is a statement setting out the harm that a victim has suffered because of the offence. This harm may include any of the following:

- Physical injury;
- Mental injury or emotional suffering (including grief);
- Pregnancy;
- Economic loss;
- Substantial impairment of rights accorded by law.

You may want to tell the Court about how your life has changed because of the crime and include the impact on your personal relationships, social life, family, employment and studies, where you live and how safe you feel.

Where a person has died as a result of the crime, you may wish to talk about that person and your relationship with them.

There is no set length for a Victim Impact Statement and no set template. You can write your VIS how you wish. For example, you can write your statement using dot points or using headings or using a couple of sentences or paragraphs.

Children may want to do a drawing or use words that describe how they felt before and after the offence.

You can add to, amend or withdraw your VIS at any time prior to the statement being given to the Court.

What should I not include in my VIS?

- A VIS is different to a formal statement that a victim gives to the police about what happened, so you do not need to provide a detailed description of the offence.
- Opinions regarding what type of sentence the offender should get should not be included in a VIS.
- The VIS should not contain any abuse or vilification of the offender or anything offensive, threatening, intimidating or harassing.
- Details or impacts of other offences you have experienced should not be included in the VIS.

If there is anything included in your VIS that raises an issue, the ACT DPP will advise you of this. A person may be cross-examined by the defence solicitor about their VIS. Where the offender is self-represented and they wish to cross-examine a person about their statement, they must seek permission from the Court to do so.

Getting help with your statement

A statement must be in your own words but if you would like to discuss your statement with someone, you can speak to the ACT DPP Witness Liaison Officers, an ACT Policing Victim Liaison Officer, or one of the victim support services.

Contact numbers:

ACT Director of Public Prosecutions	(02) 6207 5399
ACT Policing Victim Liaison Officers	(02) 5126 9113
Victim Support ACT	1800 822 272
Domestic Violence Crisis Service	(02) 6280 0900
Canberra Rape Crisis Centre	(02) 6247 2525

Completing your VIS

Please provide your completed and signed VIS to the ACT DPP prior to sentencing (ideally the week before), to allow time for the prosecutor to read it and to contact you if there is anything further to discuss regarding your VIS.

Please complete the relevant coversheet with your VIS, as follows:

- a) If you are the primary victim use Attachment "A";
- b) If you are someone other than the primary victim (e.g. carer, parent, close relative, partner), use Attachment "B"; or
- c) If the primary victim has died as a result of the offence, use Attachment "C".



VICTIM IMPACT STATEMENT

Name of victim:

Name of offender:

Criminal charges:

Court:

Date:

I consent to the tender of this statement in Court proceedings

Please select from the boxes below to reflect how you would like your VIS presented to the Court:

I would like my VIS to be read aloud

- I would like to read it aloud myself; or

- I would like _____ to read it out on my behalf

Or, I do not want my VIS to be read aloud. Please hand it up to the court

Signed:

Dated:

Please fill out, sign and attach your Victim Impact Statement to the back of this form and provide it to the ACT Director of Public Prosecutions.



VICTIM IMPACT STATEMENT

Name of primary victim:

Name of offender:

Name of person making statement:

Nature and length of relationship with primary victim:

Criminal charges:

Court:

Date:

I consent to the tender of this statement in Court proceedings

Please select from the boxes below to reflect how you would like your VIS presented to the Court:

I would like my VIS to be read aloud

- I would like to read it aloud myself; or

- I would like _____ to read it out on my behalf

Or, I do not want my VIS to be read aloud. Please hand it up to the court

Signed:

Dated:

Where possible, the primary victim should provide their consent below:

I do not object to the abovementioned person making this Victim Impact Statement to the court.

Signed:

Date:

Please fill out, sign and attach your Victim Impact Statement to the back of this form and provide it to the ACT Director of Public Prosecutions.



VICTIM IMPACT STATEMENT

Name of primary victim:

Name of offender:

Name of person making statement:

Nature and length of relationship with primary victim:

Criminal charges:

Court:

Date:

I consent to the tender of this statement in Court proceedings

Please select from the boxes below to reflect how you would like your VIS presented to the Court:

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