

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. The Victim Support and Child Witness Service will also help you.

What do I do if I can't write in English?

Contact the Victim Support and Child Witness Service. Staff can help you to write it in English. They can also arrange to have your statement translated from your language into English.

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: _____

Where you can find the Victim Support and Child Witness Service

PERTH

Victim Support and Child Witness Service

Level 2, District Court Building
500 Hay Street
PERTH WA 6000

Phone 9425 2850
Fax 9425 4428
Freecall 1800 818 988
Email vss@justice.wa.gov.au

Office of the Director of Public Prosecutions

Level 1, International House
26 St Georges Terrace
PERTH WA 6000

Phone 9425 3999
Country callers 1800 264 144
Fax 9425 3600

PEEL DISTRICT

Rockingham Justice Complex
15-17 Whitfield Street
ROCKINGHAM WA 6168
Phone 9527 7699

COUNTRY

Albany

Albany Courthouse
184 Stirling Terrace
ALBANY WA 6330
Phone 9845 5222

Broome

Office 2, 9 Napier Street
BROOME WA 6725
Phone 9192 6575

Bunbury

Ground Floor, Bunbury Courthouse
65 Wittenoorn Street
BUNBURY WA 6230
Phone 9781 4294

Carnarvon

2 Rushton Street
CARNARVON WA 6701
Phone 9941 4070

Derby

Derby Courthouse
Loch Street
DERBY WA 6728
Phone 9191 2274

Esperance

Esperance Courthouse
100 Dempster Street
ESPERANCE WA 6450
Phone 9071 6318

Victims of Crime

Website www.victimsofcrime.wa.gov.au

Department of the Attorney General

Phone 13 67 57 Website www.dotag.wa.gov.au

Geraldton

Geraldton Courthouse
Marine Terrace
GERALDTON WA 6530
Phone 9964 4816

Kalgoorlie

Goldfields Centrecare
7 Dugan Street
KALGOORLIE WA 6430
Phone 9091 1833

Karratha

Karratha Courthouse
Balmoral Road
KARRATHA WA 6714
Phone 9143 1877

Kununurra

28 Banksia Street
KUNUNURRA WA 6743
Phone 9166 5000

Northam

Northam Courthouse
118 Wellington Street
NORTHAM WA 6401
Phone 9622 7017

Port Hedland

South Hedland Justice Complex
Hawke Place
SOUTH HEDLAND WA 6722
Phone 9172 9307



Preparing a Victim Impact Statement

What is the Victim Support and Child Witness Service?

The Victim Support and Child Witness Service is part of the Department of the Attorney General and assists victims of crime. It provides counselling, information and support at court.

The Victim Support and Child Witness Service can also assist you with a victim impact statement and give you information about criminal injuries compensation.

What is the purpose of 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.

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. The Victim Support and Child Witness Service can help you to do this.

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.

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

Can I make a verbal statement?

Usually, but this will need to be discussed 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 the offender's lawyer also gets a copy. The offender usually gets to see your victim impact statement.

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.

How long should it be?

It should be concise and cover all important points included.

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, for example, lost wages, medical or counselling expenses, transportation costs, damage to property
- any request for compensation or restitution to be considered by the court
- 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. It is important, however, that you write it in your own way and sign and date it. See the suggested guide over the page.

How do I lodge my victim impact statement?

The Victim Support and Child Witness Service can forward your victim impact statement to the court for you. If you would like to lodge it yourself, you will need to deliver your original victim impact statement and two copies to the Magistrates Court or Children's Court before the date the offender is due to be sentenced.

If the offender is being sentenced in the District or Supreme Court, your victim impact statement must be delivered to the Office of the Director of Public Prosecutions (see back panel for the address).