

Victim Impact Statement



A Victim Impact Statement explains how a crime has harmed the victim. It helps the Judge or Magistrate understand how you have been affected by the crime.

You are entitled by law to make a Victim Impact Statement. It gives you the chance to take an active part in the criminal justice system.

As a victim of crime you can choose to present a written statement, or statutory declaration, to the court. Your statement will contain details of any injury, loss or damage you have experienced as a direct result of the crime. The effects of the crime may include:

- ◆ physical injuries
- ◆ emotional trauma
- ◆ financial loss
- ◆ property loss or damage

Who can make a statement?

You do not necessarily have to be the person against whom the crime was committed. For instance, statements can also be made by:

- ◆ relatives of a homicide victim
- ◆ parents of a child who has been sexually assaulted

Victim Impact Statement can be prepared by someone else on behalf of a victim if a court is satisfied that the victim is unable to make a statement if they are a child victim (under 18 years of age) or because of sickness, mental impairment or for any other reason.

Presenting a statement to court

You can choose to present your statement to the court by either handing it to the Judge or Magistrate to read or by reading it aloud to the court yourself.

Three copies of your Victim Impact Statement go to the police officer in charge of the case:

- ◆ one copy is for the Judge or Magistrate
- ◆ one copy is for the prosecutor
- ◆ one copy goes to the defendant or their lawyer

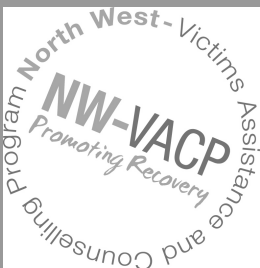
Your Victim Impact Statement will not be heard by the court before the accused has been found guilty. The prosecutor may read out part or all of your Statement to the court, and sometimes a Judge or Magistrate will refer to your Statement when sentencing the defendant. This means that other people, including the media, may hear some or all of your Statement.

You may be cross-examined on your Victim Impact Statement. This means that both the prosecutor and the lawyer representing the accused can ask you questions about it.

Making a statement

Victim Impact Statement forms are available by contacting the NW-VACP or your local police station.

Assistance is available for people who have difficulty writing English.



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