

VICTIM IMPACT STATEMENTS MADE EASY

A book to help you make
a Victim Impact Statement



Victim Impact Statements Made Easy

Prepared and published by the Victims Support Agency
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January 2012

Victims of Crime Helpline | 1800 819 817

8am – 11pm Monday to Friday, except public holidays

Translating and Interpreting Service: 13 14 50

A TTY service for the hearing impaired is available on 13 36 77.

Victims of crime website:

www.justice.vic.gov.au/victimsofcrime

Design by Celsius Design
Printed by Sovereign Press

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For further information please contact the Victims Support Agency
on (03) 8684 6700.

About this booklet:

Information for parents, guardians, carers or support workers

This booklet is designed to make preparing a *Victim Impact Statement* easier, particularly for young people who may wish to make a *Victim Impact Statement*. Young people may need help preparing their *Victim Impact Statement* and making arrangements for submitting it to court. There is further information on page 19 about submitting a completed *Victim Impact Statement*.

Why complete a Victim Impact Statement?

The purpose of preparing a *Victim Impact Statement* is to allow a victim of crime to express to a judge or magistrate how he or she is feeling about what happened to them and the impact the crime has had on their life. Making a *Victim Impact Statement* is not mandatory, so you should emphasise that they do not have to make a *Victim Impact Statement* if they do not want to.

How do I help a young person complete their Victim Impact Statement?

Young people can complete their *Victim Impact Statement* any way they feel comfortable. For example, instead of writing in the booklet, they may prefer to use drawings, paintings or stickers to express their feelings and emotions about the effects of the crime.

They do not have to answer all, or any, of the questions in the booklet – they are just a guide. If they don't want to use this booklet, they can make their own *Victim Impact Statement* another way, such as typed out on the computer, or by painting or drawing on a separate piece of paper.

It is important that the *Victim Impact Statement* is in the young person's words, not your own, and reflects their thoughts, feelings and emotions. If you are a close relative of the young person, such as a parent, you may also like to prepare your own *Victim Impact Statement* about the effects of the crime on you as a related victim.

The most important thing to remember is that whichever way someone chooses to prepare their *Victim Impact Statement*, the content should focus on the impact of a crime on them.

Tips for helping young people prepare a Victim Impact Statement

- Read the sections aloud and ask questions to make sure they understand
- Talk about what they might want to say or draw in their VIS by asking open ended questions about their feelings
- Listen to what the young person says about the crime, how they feel now, and how the crime may have affected their life at different times (e.g. when it first happened, when the police were involved, during court, after court).
- Help the young person to express themselves, for example, by supplying art supplies or helping them type their VIS on a computer.

After the form is completed

On page 19 there are further instructions about what to do with a completed *Victim Impact Statement*. These must be followed to ensure the *Victim Impact Statement* is a legal document.

Where can I get more information or help?

The Child Witness Service provides a child-friendly environment for learning about court processes, including *Victim Impact Statements*.

The Child Witness Service can be contacted on 1300 790 540 or emailed: childwitnessservice@justice.vic.gov.au.

If you want to know more about *Victim Impact Statements*, including their purpose and how they are used by a judge or magistrate in court, you can read the *Guide to Victim Impact Statements*. This is a comprehensive guide to *Victim Impact Statements* and also contains a *Victim Impact Statement* form for adults which you can use if you want to make your own *Victim Impact Statement*.

To request a copy of the Guide to Victim Impact Statements or to speak to a Victims Support Officer on the Victims of Crime Helpline, call 1800 819 817 (8:00am – 11:00pm weekdays, except public holidays).

WHAT IS THIS BOOK ABOUT?

If you are reading this book, you have probably been told that you can make a *Victim Impact Statement*.

This book will explain what a *Victim Impact Statement* is and help you make one if you want to.

Getting help

Thinking about making a *Victim Impact Statement* or preparing one can be hard or upsetting. There may also be things you don't understand about *Victim Impact Statements* or questions you need answered.

If you need to, talk to someone you trust, like your parents, another relative (like a grandparent, older brother or sister) a teacher, the school welfare officer, a friend, a friend's parent or your doctor.

There are also special services that can help you with your *Victim Impact Statement*.

Child Witness Service

(03) 9603 9266
1300 790 540

Witness Assistance Service

(03) 9603 7523
1800 641 927

Victims of Crime Helpline

1800 819 817

Sexual Assault Crisis Line

1800 806 292

There are also services just for kids if you need to talk.

The Kids Help Line

1800 55 1800

ABOUT VICTIM IMPACT STATEMENTS

What is a Victim Impact Statement?

- It tells the court about **how the crime made you feel** or how it changed your life.
- The court will use it to understand **how a crime has affected you**.
- It **gives you a chance to talk about how you feel about the crime** and what happened after the crime.

What is a Victim Impact Statement used for?

It is used in court by the judge or magistrate to help them make their decision about what happens next to the person who committed the crime. This is called sentencing.

The judge or magistrate is the person in charge of the court and your *Victim Impact Statement* is used by them at sentencing.

Why does the judge or magistrate want to hear from victims?

Judges and magistrates know a lot about how crimes can affect people but this gives you a chance to tell them more about how the crime **affected you**. They may not know how the crime may have changed your life because everyone is different.

Do I have to make a Victim Impact Statement?

- No. It's ok if you don't want to – it's your decision. No one should make you make a *Victim Impact Statement* if you don't want to.
- You **don't have to write or draw anything in this book** unless you want to.
- It's important to **take your time** and to make the decision when you are ready. You can always change your mind too, as long as the offender hasn't already been sentenced.
- Just make sure you **talk to someone** about what you want to do, like a parent, teacher or another adult that you trust. If you're not sure whether you want to make one, you can tell them you're not sure yet.

What should I say in the Victim Impact Statement?

- **It has to be the truth.** Everything you talk about should be your thoughts and feelings, not anyone else's and has to be the truth.
- **It must be about how the crime has affected you.** It's important that you think about how the crime has changed you or your life when you write or draw something.
- There is no right or wrong way of doing a *Victim Impact Statement*. You can **write as much or as little as you like**. You can also draw, put in photos or write only a few words. You can leave sections blank if you want.
- If you don't want to write or draw in this book, you could just write or draw something on a piece of paper instead.
- **Ask for help** if you need it or talk to someone about your feelings. Anyone can help you write your *Victim Impact Statement*, like your Mum, Dad, teacher, or another adult you trust.

VICTIM IMPACT STATEMENT

If you are not sure what to write in the sections that follow, ask someone to help you or leave it blank.

INFORMATION ABOUT YOU

First name

Last name

Did you feel anything else when the crime first happened?

Were you still able to do things like:

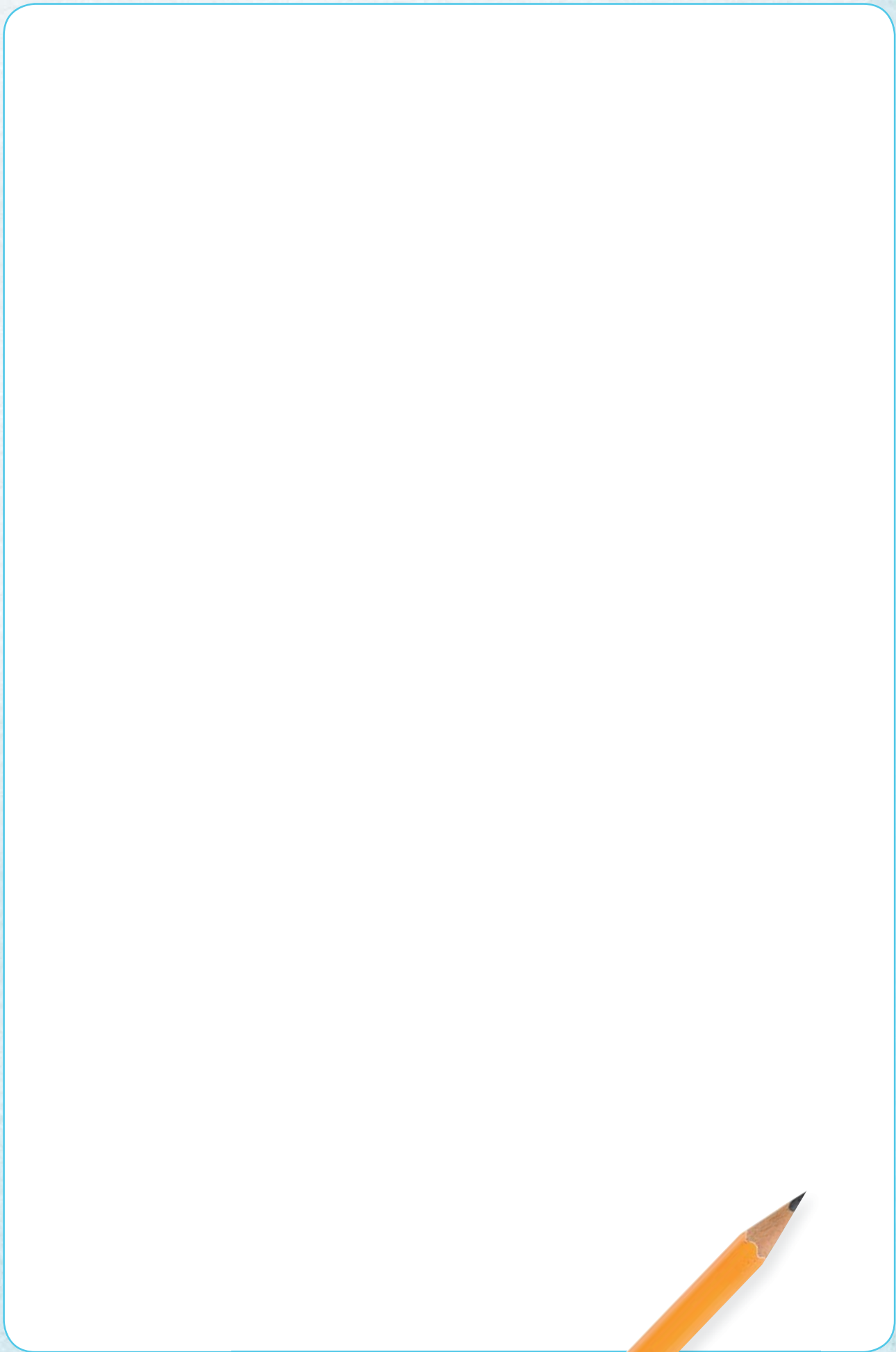
- Eat
- Sleep
- Go to school or work
- Play sport or do other activities that you used to do
- Go out and see friends or family



You can also draw about your feelings or thoughts about the crime when it first happened or attach things like journal entries, letters, stories or poems if it helps explain how you felt or what changed for you at the time.



Were you hurt or injured by the crime and, if so, how did this affect you?



Because of what happened my life has changed.....

You can write, draw or use photos to talk about things like:

- what it is like at home now
- things you used to do but you can no longer do
- what it is like at school or work now
- stuff that has affected your life that you didn't expect
- if you lost any things special to you because of what happened (e.g. clothes, computer, iPod)



Me now...

You can also put a cross on the lines below if it helps you to describe how you are feeling **now** because of the crime.

	Me (How am I doing?)	
I-----I		
	Family (How are things in my family?)	
I-----I		
	School/work (How am I doing at school or work?)	
I-----I		
	Everything (How is everything going?)	
I-----I		

Were there any doctors or people you had to see because of what happened to you? Were there other people, such as lawyers, police or counsellors you had to talk to because of what happened? How has seeing them affected you?

In the future I think that...

You can write or draw about your feelings and thoughts about the future. There may be things that you feel like you can't do now, like playing sport or seeing friends. You may also be worried about changes in your family and how your life will be in the future.

There may also be some things that you are looking forward to, like going back to school or work, or seeing friends or family.

You can write or draw about anything that you feel worried about or how you think your life will be in the future as a result of the crime. Use photos here if you like.

Remember, you can attach more pages to this book if you need more room. Or you can attach other materials, like photos or drawings if they help you describe the impact of the crime on you.



Do you want to tell the judge anything else?

You can tell the judge anything else about how you feel or what you think they should know like:

- what it is like at home now
- what it is like at school or work
- what makes you happy, sad, angry

WHAT HAPPENS NOW?

When you are finished, give this booklet to a parent or another adult helping you. They will ask you to write or sign your name at the end. You will have to do that in front of someone, like a police officer, because the document will be used in court. When you write or sign your name, you're promising the court that everything you wrote is the truth.

After your Victim Impact Statement is signed, it will be given to the court. Sometimes parts or all of your VIS will be read aloud in court by the prosecutor. If you don't want this to happen, you should let your parents, guardian or support worker know.

If you want, you can ask to read all or some parts of your VIS aloud in court. The judge will decide which bits you can read aloud. If you want to do this, you will need to talk to your parents, guardian or support worker.



What to do with a completed Victim Impact Statement:

Information for parents, guardians, carers or support workers

A Victim Impact Statement must be in the form of a statutory declaration. This means the young person will have to **write/sign their name below**. You will need to arrange to have the statement **signed by an authorised witness**, such as a lawyer, police officer, doctor, dentist, pharmacist, vet, bank manager or school principal.

Where a statutory declaration is made by a person who is under 14 years of age, the authorised witness will affirm the statutory declaration only if they are satisfied that he or she understands the nature and content of the declaration.

If you need more information about statutory declarations, you can visit: www.justice.vic.gov.au. Click on: *The Justice System* then *Statutory Declarations* on the left hand side of the website.

After the form is signed by an authorised witness, you will need to give it to the police officer working on your case, Office of Public Prosecutions solicitor working on your case, Child Witness Service worker or other case worker before the sentencing hearing. Your case worker, OPP solicitor or the police officer involved in your case will know when the sentencing hearing is scheduled.

Statutory Declaration

I _____,
do solemnly and sincerely declare that the contents of this Victim Impact Statement are true
and correct.

I acknowledge that this declaration is true and correct, and I make it with the understanding
and belief that a person who makes a false declaration is liable to the penalties of perjury.

Declared at _____ In the state of _____,
on this _____ day of _____ 20 _____.

Before me,

.....
Signature of person making
this declaration

[to be signed in front of an authorised witness]

.....
Signature of Authorised Witness

[The authorised witness must print or stamp his or her name, address
and title under section 107A of the Evidence (*Miscellaneous Provisions*)
Act 1958 (as of 1 January 2010), (previously *Evidence Act 1958*),
(eg. Justice of the Peace, Pharmacist, Police Officer, Court Registrar,
Bank Manager, Medical Practitioner, Dentist)]

Please complete the following information for use by the court:

Name of person completing Victim Impact Statement: _____

Age of person completing Victim Impact Statement: _____

If the person completing the Victim Impact Statement is not the primary victim of crime,
their relationship with primary victim (e.g. child of primary victim, sister of primary
victim etc): _____

Name of offender (if known): _____

Name of police officer working on your case (if known): _____

Name of OPP solicitor (if relevant/known): _____

**VICTIMS OF
CRIME HELPLINE**

1800 819 817

Online:

www.justice.vic.gov.au/victimsofcrime