



## **GUIDE TO COMPLETING THE VICTIM IMPACT STATEMENT FORM**

1. When assessing the nature and seriousness of the crime(s) charged and the harm caused to the victim, the Court will take into account how the crime(s) have affected the victim:
  - psychologically and emotionally
  - physically
  - economically or financially
  - socially
2. The Victim Impact Statement (VIS) is a statement that is completed by the victim directly or it is given to the police or any person or agency assigned to complete the VIS on behalf of the victim. The VIS gives the victims of crime the opportunity to explain in his/her own words how the crime(s) has impacted or affected the victim and the victim's life.
3. The VIS is submitted to the Court only if the Accused is found guilty and is convicted of the crime(s) charged or if the accused pleads guilty to the crime(s) charged. The VIS will be referred to in the course of the sentencing hearing. Victims must be provided with full information about the purpose of the VIS, how it will be used and who will be able to see the statement.
4. All victims must be informed of the following in relation to the VIS:
  - i. All victims have a right to make a VIS and must be afforded the opportunity to do so.
  - ii. The victim has a choice whether or not to make a VIS. The victim should not be unduly encouraged nor dissuaded from making a VIS.
  - iii. Even without the VIS, the Prosecutor will make submissions to the Court about the impact of the crime(s) on the victim.
  - iv. The VIS will be provided to the Court, the Prosecutor and the Defence, so the offender will be able to see the VIS and be informed of its contents.
  - v. Victims must be told that the offender has a right to challenge the content of a VIS and evidence may be called at a Sentencing hearing by the Prosecutor or the Defence with regards the contents of the VIS.
5. A VIS may be filled in at any time after the Victim has made a statement to the police about the crime(s). This VIS may be updated in the course of proceedings to reflect ongoing impact or the views of the counsellor, psychologist or psychiatrist on his/her interactions with the victim.

6. The VIS must be submitted to the Court and disclosed to the Defence/offender prior the Sentencing Hearing.
  
7. **Do not include the following information in the Victim Impact Statement:**
  - any statement about the offence or the offender that is not relevant to the harm or loss the victim suffered;
  - any unproven allegations or crimes that the offender was not convicted for or repeat evidence already presented;
  - any crimes the offender may have committed in the past
  - victim's opinion about whether the offender is likely to offend again in the future however legitimate fears or apprehensions of being further victimised may be permissible;
  - victim's opinion about the personality or character of the accused
  - victim's opinion or recommendation about the sentence or punishment
  - do not use derogatory or obscene language to describe the offender;
  
8. You may attach additional pages to the VIS if you need more space.
  
9. You may attach any relevant documents to this statement including : medical reports, counselling reports, letters, poems, drawings, photos or videos that may be relevant to explain the impact of the crimes on the victim. The Prosecutor will decide if these material and documents may be properly included taking into account the law concerning admissibility of evidence and any prejudice that may be caused to the offender by its inclusion.
  
10. A narrative statement covering the overall impact in addition to/in place of the VIS may be submitted.
  
11. The victim may state his/her preference about whether the VIS should be read out in court and who should read it. However, the Court will decide how the VIS is to be presented after considering the victim's preferences. The Court will also decide if the VIS is to be read out in whole, in part or summarized.

**I have read/have had read to me the above Guide to filling in the Victim Impact Statement. I confirm that I fully understand the same.**

**Name & Signature of Victim:**

**Date:**



## VICTIM IMPACT STATEMENT FORM

### **Case Information:**

Victim's Name:

Victim's Age:

Name of the Accused/Offender:

Crime(s) /Charges that this Statement relates to:

Sentencing Court:

Sentencing Date:

Are you preparing this statement yourself?

### ***If not: Details of Person who has filled in the Victim Impact Statement Form***

Name:

Nature of relationship to primary victim:

Any other relevant matters:

## Emotional & Psychological Harm

Describe how the offence has affected you emotionally and psychologically. You may consider the following for example:

- your feelings, thoughts and reactions that relate to the crime
- changes to your lifestyle and activities;
- changes to your reactions towards people or situations
- effects on your relationships with others such as your family and friends;
- your ability to work, attend school or study
- details of counselling or other psychological or psychiatric assessments and treatment received as a result of the crimes.
- You may attach any psychological or other relevant reports
- If there has been loss of property with sentimental value this may be mentioned under this section.

## Physical Injuries

Describe how the offence has affected you physically. For example consider:

- Type and extent of the injuries that were inflicted by the offender in the commission of the crime(s)
- Any medical procedures, surgery, treatment you had to undergo as a result of the offence(s)
- Details of hospitalization and medication
- Long term or short term physical effects or physical disability resulting from the offence(s) e.g. ongoing physical pain, discomfort, illness, scarring, disfigurement or physical/mobility limitation;
- You may attach any medical or other relevant reports. You may also attach photos or videos relevant to show the physical impact of the crime(s) on you.

## Economic or Financial Impact

Describe how the offence has affected you financially. For example:

- *Property Loss - List property lost as a result of this crime and the value of the property. This is property that has not been and is not expected to be recovered.*
- *Other Financial Losses : medical expenses, loss of earnings due to time off work*
- *Cost of repairs or replacement of property*
- *Only include financial losses not covered by insurance*
- *You may attach receipts, photographs and any other relevant documentation*
- **Note: This is not an application for compensation or restitution**

## Letter or Drawing

You may use this space to write a letter to the offender or to say anything directly to the offender about the impact of the offence on you. You may also draw a picture to help you express the effect the crime(s) have had on you.

A large, empty rectangular box with a thin blue border, intended for the user to write a letter or draw a picture. The box occupies most of the page's vertical space below the introductory text.

**Would you like this Victim Impact Statement to be read out loud in Court?**

**If yes, who would you like to read the Statement out loud?**

**Declaration by Victim:**

The information contained in this Victim Impact Statement was provided by me and is true to the best of my knowledge and belief. I have given this information knowing that it may be used by a Court of law in sentencing the offender.

**Name & Signature:**

**Date:**

**OR**

**Declaration by Victim's Representative or Qualified Person (e.g. Counsellor):**

I have advised the Victim that this Victim Impact Statement will be presented to a Court of law and that it may be used in sentencing.

This Victim Impact Statement has been read back to the Victim and I confirm that the Victim understands the content of the statement and confirms its accuracy.

The information/matters concerning \_\_\_\_\_ was provided by me.

Any information and/or assessment on the impact of the crimes that has been provided by me is accurate and true to the best of knowledge and belief. I have given this information knowing that it may be used by a Court of law in sentencing the offender.

**Name & Signature:**

**Date:**