

Victim Impact Statement

Made easy

A form and booklet 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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Victims of Crime Helpline | 1800 819 817

Monday to Friday: 8am-7pm

Weekends: 8am-5pm

Public holidays: 8am-5pm

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.victimsofcrime.vic.gov.au

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About this booklet:

Information for parents, guardians, carers or support workers assisting someone to complete a Victim Impact Statement

This booklet is designed to make preparing a *Victim Impact Statement* easier for people. Some people may need help preparing their *Victim Impact Statement* and submitting it to court. There is further information on page 19 about submitting a completed *Victim Impact Statement*.

Why complete a Victim Impact Statement?

A *Victim Impact Statement* is an opportunity for a victim to express to a judge or magistrate how they are 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 ensure the person knows that they do not have to make one if they do not want to.

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

People can complete their *Victim Impact Statement* any way they feel comfortable. For example, instead of writing in the booklet, they may prefer to write a simple statement or a poem, draw a picture(s), painting, use stickers or other media 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*.

It is important that the *Victim Impact Statement* is in the person's words, not your own, and reflects their thoughts, feelings and emotions. If you are a close relative of the 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 the crime on them.

Tips for helping people prepare a Victim Impact Statement

For parents, guardians, carers or support workers

- Read the sections aloud and ask questions to make sure they understand.
- Ask open ended questions about their feelings to help them think and express what they might want to say or draw in their *Victim Impact Statement*.
- Listen to what the 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. The crime may have impacted on their friendships, employment, schooling or participation in sports or other interests.)
- You could help the person to express themselves, for example, by supplying art supplies or helping them type their *Victim Impact Statement* on a computer.

After the form is completed

For parents, guardians, carers or support workers

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* meets the court's requirements.

Where can I get more information or help?

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*.

To request a copy of the *Guide to Victim Impact Statements* or to speak to a Victim Support Officer on the Victims of Crime Helpline, call 1800 819 817 or text 0427 767 891 (8am-7pm weekdays, 8am-5pm weekends & public holidays).

If your child is being supported by the Child and Youth Witness Service, they will assist you and your child to complete a *Victim impact Statement* if you wish.

If you are being supported by the Victims and Witness Assistance Service they can provide you with information about the purpose of the *Victim Impact Statement*, how it is used by the court and that you have the right to read the *Victim Impact Statement* to the court (if you choose to do this).

If you are being supported by the Victim Assistance Program (VAP), they can help you complete the *Victim Impact Statement*. If you do not have a VAP worker, please contact the Victims of Crime Helpline for further information.

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, aunty, uncle, older brother or sister) a teacher, the school health and wellbeing 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 and Youth Witness Service

Email: ChildandYouthWitnessService@justice.vic.gov.au

Call: 1300 790 549 (9am-5pm, Monday to Friday)

Victims and Witness Assistance Service (Office of Public Prosecutions)

(03) 9604 7425

1800 641 927

Email: wasadmin@opp.vic.gov.au

Victims of Crime Helpline

1800 819 817

Text: 0427 767 891

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

The Child and Youth Witness Service website provides a range of organisations that can provide you (and your parents) with specialised support or information. <https://www.victimsofcrime.vic.gov.au/getting-help>

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 sentence is the same as a penalty and may include imprisonment and/or a fine.

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, carer, supporter worker, 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, carer, support worker, 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

- Angry
- Frustrated
- Sad
- Scared/frightened

This image shows a blank sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.


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

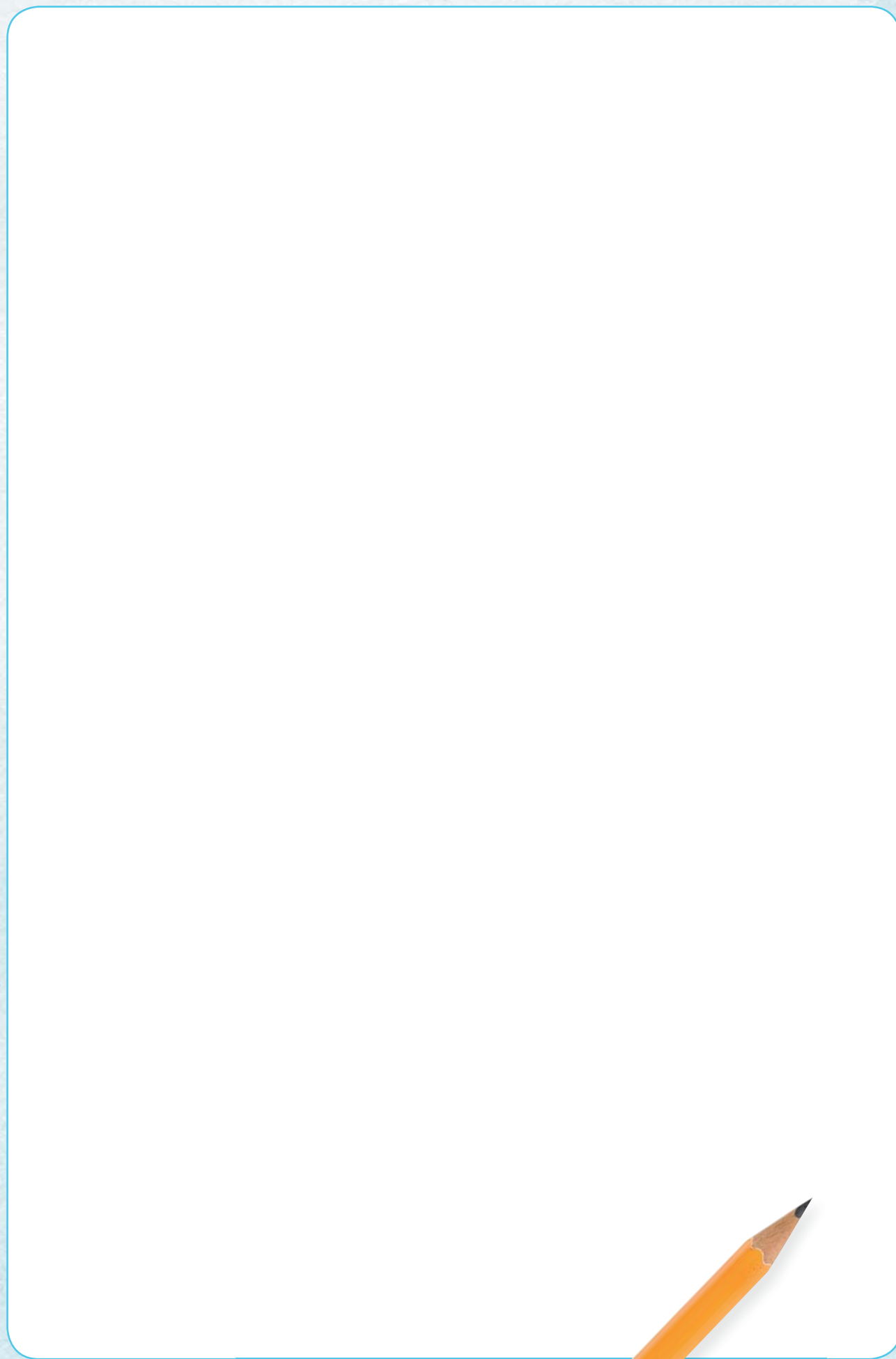


You can also draw about your feelings or thoughts about the crime when it first happened or attach things like journal entries, letters, stories or poems if it helps explain how you felt or what changed for you at the time.



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

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



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, iPad)



This image shows a blank sheet of white paper with horizontal blue lines. The lines are evenly spaced and run across the width of the page, typical of notebook paper. There are no margins, text, or other markings on the page.







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 because of the crime. Use photos here if you like.

[illegible]

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 or magistrate anything else?

You can tell the judge or magistrate 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

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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 Victim Impact Statement will be read aloud in court by the prosecutor. The prosecutor is a lawyer who tells the judge or magistrate that the accused person has committed a crime. 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 Victim Impact Statement 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 support worker who will help you organise this.



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 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 State school principal. For a full list of authorised witnesses, visit <https://www.justice.vic.gov.au/statdecs>

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 they understand the nature and content of the declaration.

If you need more information about statutory declarations, you can visit: www.justice.vic.gov.au

After the form is signed by an authorised witness, you will need to give it to one of the following people:

- the police officer working on the case
- the Office of Public Prosecutions (OPP) solicitor working on the case
- Child and Youth Witness Service worker, VWAS or VAP worker or
- other case worker before the sentencing hearing.

The case worker, OPP solicitor or the police officer involved in the case will know when the sentencing hearing is scheduled.

Statutory Declaration

This section must be completed. The court will not accept your Victim Impact Statement if this section is not completed.

A statutory declaration is a statement you sign that you declare to be true and correct. When you have finished your Victim Impact Statement, you must print it, then fill out and sign this statutory declaration in front of an authorised witness. An authorised witness is a lawyer, police officer, doctor, dentist, pharmacist, vet, bank manager or State school principal.

For a full list of authorised witnesses, visit <https://www.justice.vic.gov.au/statdecs>.

Instructions for completing a statutory declaration

Please complete the following form using the notes in the left-hand margin for guidance. More guidance on making statutory declarations can be found at www.justice.vic.gov.au.

When making the statutory declaration the declarant must say aloud:

I, *[full name of person making declaration]* declare that the contents of this statutory declaration are true and correct.

Insert the full name of person making the statutory declaration

I, _____
make the following statutory declaration under the Oaths and Affirmations Act 2018:

I declare that the contents of this Victim Impact Statement are true and correct and I make it knowing that making a statutory declaration that I know to be untrue is an offence.

Signature of person making the declaration

.....
[to be signed in front of an authorised witness]

Place (city, town or suburb)

Declared at _____

Insert date

in the state of Victoria on _____ .

Witness:

I am an authorised statutory declaration witness and I sign this document in the presence of the person making the declaration:

Name, capacity in which authorised person has authority to witness statutory declaration, and address (writing, typing or stamp)

.....
[Must be signed by a person authorised under section 30(2) of the Oaths and Affirmations Act 2018 to witness the signing of a statutory declaration.] Date signed

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): _____

Child Safety Statement of Commitment

The Department of Justice and Community Safety is committed to the safety and wellbeing of children and young people. We seek to prevent harm of any kind impacting children and young people and have zero tolerance for racism, child abuse and inequality. Children and young people's rights, relationships, identity, and culture must be recognised and respected, their voices heard, and their concerns acted upon. We aim to foster a culturally safe, child safe and child friendly environment for all children and young people we have contact with, deliver services to, or are impacted by our work.

Further information about the Departments commitment to child safety is available here: [Child Safe Code of Conduct | Department of Justice and Community Safety Victoria](#)



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and Community
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