

## Victim Impact Statements (VIS)

When an accused person pleads guilty or is found guilty of charges laid against them, they then become known as an offender.

After an offender has been convicted but before they are sentenced, legislation **allows in certain circumstances** (*the Crimes (Sentencing Procedure) Act 1999*) the victim an opportunity to give the court a written statement. This statement is known as a 'Victim Impact Statement'. It includes details of how the offences that the offender has been found guilty of, have affected the life of the victim. The statement **can only relate** to the crime or crimes of which the offender has been convicted.

A victim impact statement is voluntary. The victim must advise the prosecutor if he/she wants to make a victim impact statement to be given to the court.

The officer in charge of the investigation should ensure that all material contained in a victim impact statement complies with the legislation. The police prosecutor or Office of the Director of Public Prosecutions (ODPP) may provide the officer in charge with advice in this regard.

Once a victim statement is accepted by the court, the reading of the victim impact statement to the court is optional and voluntary. The statement can be read out by the victim, an immediate family member of the victim or representative of the victim. It cannot be read out by the prosecutor.

Before preparing a victim impact statement, it is important to know that when it is accepted by the court it becomes part of the court case. This means that the victim or author of the statement could be subjected to possible cross-examination, the offender can read the statement (but not keep a copy), the statement becomes a public document

(except in relation to children) and the media may gain access to the statement and report on the contents of the statement that are read out or referred to in court.

Whilst a police officer may not suggest the content of your victim impact statement, they may provide you with information on how to ensure your victim impact statement complies with legislation.

Further information on when a victim impact statement can be prepared, the requirements and information that should be contained in the victim impact statement and assistance in preparing a victim impact statement can be obtained from:

**Victims Access Line (VAL) – 1800 633 063**

**Please visit**

**[www.victimsservices.justice.nsw.gov.au](http://www.victimsservices.justice.nsw.gov.au)**

**for further information.**