

Victim Impact Statements

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Victim Impact Statements are written statements that **describe the harm or loss suffered by the victim** of an offence. The court considers the statement when the offender is sentenced; therefore the Victim Impact Statement (VIS) is an opportunity for you to tell the Court how the offence affected you and the people close to you.

The Victim Impact Statement is intended to give victims of crime a voice in the criminal justice system; it allows victims to participate in the sentencing of the offender by explaining to the Court and the offender, in their own words, how the crime has affected them.

Despite victims having qualms in completing the form, the Victim Impact Statement consists of only 3 simple questions relating to:

EMOTIONAL LOSS (describe how this offence has affected you, the emotional impact or harm this crime has caused)

PHYSICAL INJURY (list injuries and treatment received, including any permanent disabilities)

FINANCIAL IMPACT (list financial loss you may have suffered as a result of the incident) Please note, providing information about the financial impact of a crime may not necessarily lead to payment for your losses or expenses through the criminal justice system.

There is a “Victim Impact Statement” for use by adults, and an easier VIS version to be used by children – the “Child Victim Impact Statement”.

VICTIM IMPACT STATEMENT FACTS:

Who can prepare a Victim Impact Statement?

Any person to whom harm has been done to or who has suffered physical or emotional loss as a result of the offence.

In some cases, the victim prepares the VIS and in other cases it is prepared by someone else on behalf of the victim.

In addition, a VIS can be prepared by the survivors of deceased victims, by the parent or guardian of a child victim, or by a spouse, dependent or close relative of a victim who is incapable of making a statement.

Is completing a Victim Impact Statement optional?

The preparation and submission of a VIS is the victim's choice, you are under no obligation to complete one, it is completely voluntary; However, consideration of the VIS by the Judge is mandatory for the purposes of considering sentencing, pursuant to the provisions of the Criminal Code! The Criminal Code is clear – where a VIS has been prepared, the sentencing Judge must consider the statement.

Victim Impact Statements are to be written in your own words. You may receive assistance in completing the forms, but it is important to remember it is your statement and should be written in your words.

You have the option to read your statement to the Judge. If you are not comfortable, you do not have to read your statement to anyone as it is placed in the court file and the Judge will read it before sentencing.

The VIS is not required by the court until AFTER a finding of guilt.

You have the option to update your VIS with new information about the effects of the offence. This is done by contacting the police or Crown Attorney responsible for the case.

Probation conditions can be indicated that would be helpful to you, including if you do or do not want contact with the accused. Safety concerns should be indicated.

Please note that a copy of the VIS will be provided to the offender or the lawyer for the offender as soon as practicable following the finding of guilt.