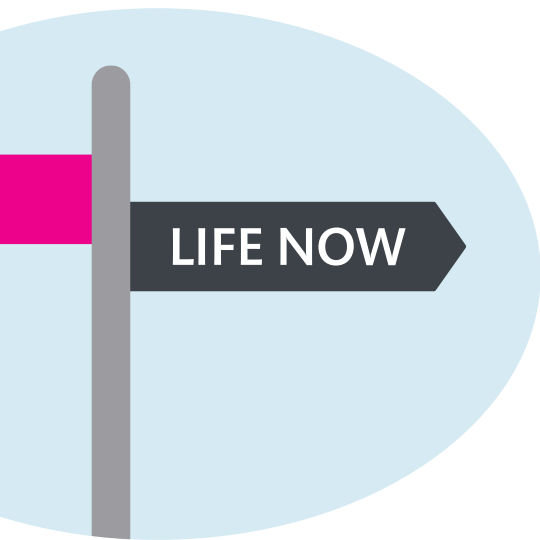


A guide to
Victim Personal Statements



An introduction to Victim Personal Statements

Experiencing crime can affect you in different ways – emotionally, physically, mentally and financially. The Victim Personal Statement (often shortened to VPS) is your chance to have your voice heard. It is used if someone is found (or pleads) guilty of a crime against you. It gives you the opportunity to explain in your own words the impact that the crime has had on you and your family. It will be taken into account by criminal justice agencies involved in the case and it can play a key part in sentencing.

This guide has been designed to provide you with information on the VPS, including what your statement could cover, how your statement could be used and how to cope with feelings you experience when writing your VPS.

It's important also to highlight that there is no legal requirement for you to make a VPS – it is completely your decision.

Your right to make a VPS

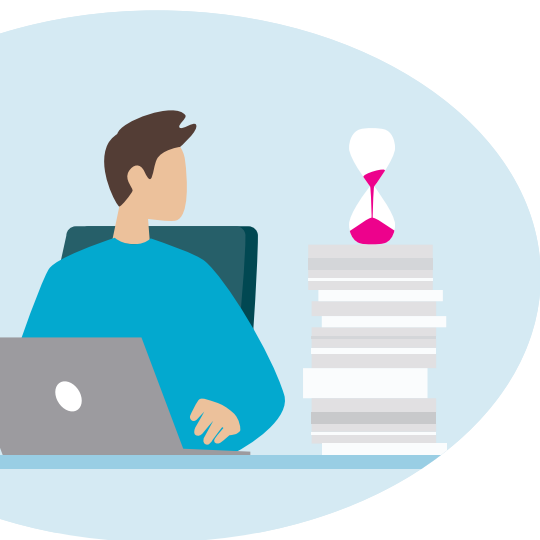
Victims of any crime have the right to make a statement. This entitlement is outlined in the Code of Practice for Victims of Crime (often just referred to as the Victims' Code). Parents of any victims aged under 18 have the right to make a statement too (unless it's not in the child's interest).

During the initial investigation

It's important to remember that it is your legal right to be offered the chance to make a statement. Although the statement will not be used until the court case, you should be asked about making a VPS during the initial investigation.

Your VPS will be included in the court papers, so there will be a deadline for getting your statement completed. Every court case is different and sometimes cases can progress quickly, which is why you should be offered the chance to make a VPS at the same time as your witness statement to the police, or when you have been told that the suspect has been charged – to ensure that you are given your opportunity to speak about the impact of the crime.

If your case goes to court, your statement will then be considered by the court before the defendant is sentenced, if they are found (or plead) guilty.



When you give your VPS, you will be asked your preference on whether or not you would like to read the statement in court yourself (if the defendant pleads guilty or is found guilty) or if you would like someone else to read it on your behalf. The decision to read out your VPS in person or have someone else read it for you (usually the Crown Prosecution Service's prosecutor) is completely personal to you, but regardless of how it is read out, it will still be taken into account by the court.

When you are going through a stressful or emotional time, it can be hard to remember exactly what your rights are. If you're not offered the opportunity to make a Victim Personal Statement or you're simply unsure, feel free to ask. You could say: "Will I get a chance to make a statement about the impact of the crime?"

At a later date (before court proceedings)

Even if you have already given your VPS during the initial investigation, you can add a further statement before the court proceedings begin, if you have more to say about the impact on you over time. However, you will be unable to withdraw your original statement, since once this has been signed it cannot be changed.

If you feel intimidated or are identified as vulnerable, you will be eligible for special measures to assist you in reading out your statement and putting you at ease.

For the Parole Board

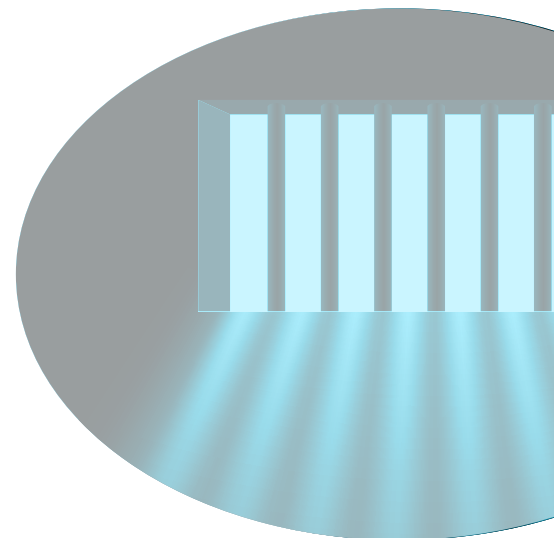
In some cases, towards (or at) the end of the offender's minimum sentence, the Parole Board may consider whether or not the offender should be released or moved to open prison conditions.

In a separate process from that outlined above (when the VPS is considered by the court), if you are eligible for, and have opted to receive contact under, the probation service's Victim Contact Scheme, you will be provided with the opportunity to write a VPS for the Parole Board. This is to allow you to describe the impact that the imminent release of the offender, or the change of custodial conditions, might have on you. You may be able to appear before the Parole Board for part of the hearing to read your VPS, if you wish to do so.

This guide focuses on the VPS for court proceedings, but you may still find it useful if you are considering writing a VPS for the Parole Board.

TOP TIP

In some cases a significant amount of time can have passed between giving your statement and the statement being read in court. It's useful to keep or request a copy of your statement so that you are clear on what you said at the time. This can also be helpful if you are considering, at a later stage, adding a further statement to document the impact on you over a longer period of time, past the initial investigation stage.



Writing your statement

Things you might want to include

We recognise that making a VPS statement isn't easy. Trying to express the impact of a crime can be overwhelming. It can also take time to understand the full extent of the impact.

We have created a list of suggestions of things you may wish to consider before writing your statement:

- Have you suffered any physical, financial, emotional or psychological injuries or harm? Have you received any treatment?
- Do you feel vulnerable?
- Do you no longer feel safe in your home?
- What has been the impact on your family members?
- Has the quality of your life changed on a day-to-day basis?
- What is the ongoing impact of the crime on your life?

The above list is just a set of suggestions to help you start thinking of things you could include in your VPS. Support is always available for any queries you have regarding your VPS, so please speak to your victim supporter or named police officer in charge of the case if you have any questions.

TOP TIP

Focus on the impact the crime has had on you. Do not include your thoughts or opinions on how the person should be punished and don't use obscene language or include any inappropriate content, as this may be removed or lessen the impact of your statement.

Tips for writing your statement

Tip 1: Try and visualise what your finished statement will look like. Think about the adjectives which best describe what it will be like, such as clear, honest etc.

Tip 2: Prepare your VPS early if possible to avoid the stress of last-minute writing after the conviction. There can sometimes be only a small period of time between a defendant being found guilty of a crime and the sentencing hearing. A sentencing hearing would not be delayed just because a VPS had not been submitted to the court.

Tip 3: Do not copy another person's VPS. It can be really difficult starting from a blank sheet of paper, but no two crimes and no two people are the same – you need to talk about your individual experience.

Tip 4: Write simply and use descriptive words. You are trying to help the members of the court experience what you felt and understand what you have gone through. Although no one can truly understand what you are feeling, you can use descriptive words to help people form a picture of what you are saying.

Tip 5: Make your statement as easy to read as possible. Remember that you, or someone else, will be reading this statement out loud. Use short sentences and short paragraphs, and ideally leave spaces between the paragraphs. This will make it easier for the court to read, and for you (or another person) to read it out loud.

Tip 6: Keep it concise. Try to avoid writing lots of pages and instead focus on the impact your words will have.

Tip 7: Speak from the heart. This is your opportunity to tell the court about what you have gone through and the impact this has had (and may still be having) on you.

How your statement might be used

By the court

The VPS will be referred to by the court during the course of the sentencing hearing and/or in the remarks following a guilty plea or conviction.

Your VPS is important because it will help you voice the impact that the crime has had on your life. It should always be provided as part of the court papers, but it's up to the court to decide whether or not your statement is read out loud.

The judge holds the overall final say on what sections should be read out in court and who will read the VPS out. However, sometimes the court may decide that there is good reason for the VPS not to be read out – for example, if they feel it may not be in your best interests.

If you are offered the opportunity to read your statement out, the court will take into account your preference. However, sometimes, depending on how the case is progressing, this may not be possible, and a CPS prosecutor may read it out on your behalf.

Judges can only make a decision based on sentencing guidelines, which are set nationally. But the VPS matters – it can help refine the court's assessment of the harm caused to the victim by the offender and this may impact on the severity of the sentence passed.

It's important to remember that once a VPS is made it cannot be altered or withdrawn. An additional VPS may be made to clarify or add additional points.

By the person on trial

You can expect the person who is on trial to see what you write in your VPS. It's therefore important that you do not include information that identifies your physical address, phone number, place of employment, email address or other personal details.

By the media

If your statement is read out – whether by you or somebody else – then what you say could be reported by the media. Because of this, if you do decide to write a VPS, it's important to think about what you say in it.



TOP TIP

If you do read your statement out loud, focus on speaking to the judge only. If you want to speak directly to the defendant, ask the judge's permission to do so first.



The impact of writing a VPS



Focusing on the impact that the crime has had on you and your life can be really challenging. In particular, it can bring back emotions you felt immediately after the crime, which can be hard to deal with. It's a good idea to reflect on this and plan how you are going to manage those feelings if this does happen.

Before you start work on the statement, a simple tip is to think about how writing your VPS could make you feel and then planning what to do to help yourself. This can make the VPS less daunting to write and can also help you get it finished more quickly.

Start by asking yourself how you might feel when considering the impact of the crime on your life. For example, you may feel that you could get really upset and angry.

Then ask yourself how you are going to control that. For example, you may decide you are going to stop writing and go for a walk if you get too emotional.

When you've finished writing...



Writing a statement is a real achievement. It can be a good idea to plan an activity for after you have finished writing the statement that will help you to relax or distract you from your recent task. For example, you could make plans to meet up with friends, plan a gym visit or arrange a stroll around the local park. Whatever you decide to do, choose something you enjoy and that makes you feel good.

If you've decided you would like to write a VPS, note down here when you plan to do this by:

Date:

Where can I find out more?

You can access lots more information about Victim Personal Statements on the Victim Support website (victimsupport.org.uk) or on Victim Support's free and interactive online platform, My Support Space (mysupportspace.org.uk).

We are an independent charity offering free, confidential support to people affected by crime and traumatic incidents.

For information and support, contact us by:

- calling: Supportline **08 08 16 89 111**
- using Next Generation Text (add **18001** before any of our phone numbers)
- Online: **victimsupport.org.uk**
- Live chat: **victimsupport.org.uk/live-chat**

victimsupport.org.uk

 VictimSupport  @VictimSupport  victimsupport_uk

Registered office: Victim Support, 1 Bridge Street, Derby, DE1 3HZ
T: 020 7268 0200 Next Generation Text: 18001 020 7268 0200 Registered charity no. 298028
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