

# Victim Impact Statements

Prepared by the Canadian Resource Centre for Victims of Crime

## **Introduction**

In the past, the victim was an overlooked entity of the justice process. Over the years, victims' advocates have fought diligently to improve the treatment that victims are afforded at the hands of the criminal justice system. The victims' movement has had many successes, perhaps the most significant being the Victim Impact Statement.

## **What is a victim impact statement?**

A victim impact statement is a written account of the personal harm suffered by a victim of crime. The statement may include a description of the physical, financial and emotional effects of the crime.

The victim impact statement is intended to give crime victims a voice in the criminal justice process. It allows them to participate in the sentencing of an offender by explaining to the court, and the offender, how the crime has affected them.

## **Who can prepare a victim impact statement?**

A victim, as defined by the *Criminal Code*, is someone to whom harm has been done or who has suffered physical or emotional loss as a result of an offence.

The statement may be prepared by the victim, by someone on behalf of the victim, by the survivors of deceased victims, by the parent or guardian of a child victim, by a spouse, or by a dependant or close relative of a victim who is unable to make the statement.

## **Why write a victim impact statement?**

The preparation and submission of an impact statement is voluntary. No victim is required to write an impact statement. Should you choose to do so, the purpose of an impact statement is to inform the court of the impact of the crime on your life.

Although the decision to write an impact statement is voluntary, consideration of it by a judge is mandatory. Where a victim impact statement has been prepared, **IT MUST BE TAKEN INTO CONSIDERATION BY THE SENTENCING JUDGE.**

## **When will a victim impact statement be used?**

An impact statement will not be used unless or until a criminal conviction has been rendered. It can also be used in the case of a plea bargain. Victims should discuss when to submit their statement with the Crown or the victim services provider.

# The Impact Of Crime

**J Elliott**



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