



Home Office

BUILDING A SAFE, JUST
AND TOLERANT SOCIETY

MAKING A VICTIM PERSONAL STATEMENT



- 1 This leaflet explains how you can make a victim personal statement. It tells you what sort of information you might want to include in your statement, and what we will do with that information.

What is a victim personal statement?

- 2 A victim personal statement adds to the information you have already given to the police in your statement about the crime. The victim personal statement gives you the chance to tell us about any support you might need, and how the crime has affected you (for example, the crime could have affected you physically, emotionally or financially).

Do I have to make a victim personal statement?

- 3 You should only make a victim personal statement if you want to. If you do not want to make a personal statement straight away, you can always ask the police to help you make one later on.

What happens if I don't make a victim personal statement?

- 4 We will follow up your case whether or not you choose to make a victim personal statement.

What happens to my victim personal statement?

- 5 If you make a victim personal statement, it will become part of the case papers. This means it will be seen by everybody involved with your case (for example, the police, the Crown Prosecution Service (CPS), the defence, and the magistrates and judges at the courts). You can use your victim personal statement to make sure the police keep you informed about the progress of your case. The courts may use the information in your statement when deciding if a defendant should be given bail.

How does the Crown Prosecution Service (CPS) decide whether to prosecute somebody or not?

- 6 First, the CPS has to be satisfied that there is enough evidence. If there is, the CPS will consider whether it is in the public interest to prosecute. (Broadly speaking, the more serious the alleged offence, the more likely it will be that a prosecution will be needed in the public interest. On the other hand, a prosecution is less likely to be needed if, for example, the offender has already been sentenced for another offence and a conviction for the offence against you is unlikely to result in an extra sentence.) When deciding whether it is in the public interest to prosecute an offender, the CPS will consider the consequences for the victim and will take account of the views of the victim or the victim's family.

Who decides how the offender is punished?

- 7 The judges and magistrates decide how an offender is punished when they pass sentence. You should not offer any opinion as to how the

court should punish the offender. The court will not consider your opinion when they make a decision, but it will take account of how the offence has affected you.

How can I make a victim personal statement?

- 8** You can make a victim personal statement if you have made a witness statement to the police. A witness statement (also called ‘an evidential statement’) is taken from a victim or witness who can give information to the police that might help them solve a crime. The police will ask you if you want to fill in a victim personal statement when they have finished filling in the witness statement.
- 9** If you have given your witness statement in a different way (for example, on a video recording), you may also be able to give your victim personal statement in the same way.
- 10** If you are a child or a vulnerable adult, your parent or carer can make the victim personal statement for you if you want them to.

What sort of information can I give?

11 You should use the victim personal statement to give the police any information you did not include in the witness statement. You can say whatever you like in your personal statement. For example, you may want to tell us:

- if you want to be told about the progress of your case;
- if you would like extra support (particularly if you are appearing as a witness at a trial);
- if you feel vulnerable or intimidated;
- if you are worried about the offender being given bail (for example, if the offender knows who you are);
- how the crime has affected you if you feel racial hostility was part of the crime;

- how the crime has affected you if you feel that you were victimised because of your faith, cultural background or disability;
- if you think you will try to claim compensation from the offender for any injury, loss or damage you have suffered (please see paragraph 14);
- if the crime has caused, or made worse, any medical or social problems (such as marital problems); or
- anything else you think might be helpful or relevant.

Is there anything else I should know about when I make a victim personal statement?

12 When you have filled in a victim personal statement, it becomes part of the case papers. This means that if an offender is caught and charged, the case papers have to be shown to the defendant and his or her lawyer.

The defendant will see what you have said and, if the case goes to trial, you could be asked questions about the statement in court.

- 13** As a result, you should be ready to answer any questions about your statement. You could be asked about how the crime has affected you, or about any loss, injury or damage you have suffered. Once you have made a statement, you can't withdraw it or change it. However, you can always make another statement that clears up or changes something you said in an earlier statement.

- 14** If you want to claim compensation from the offender, you may need to provide supporting details or proof. You will also have to fill in another form (known as Form MG19). The police officer will be able to give you advice about this. You would also need to provide proof if you claimed that a medical or social problem had been made worse by the crime.

How can I update my statement?

- 15** If you did not make a victim personal statement when you made a witness statement and would now like to, or if you want to make a second statement describing the long-term effects of the crime, please contact the person named at the back of this leaflet. They will arrange to take your personal statement.
- 16** You can update your personal statement at any point before the case gets to court.
- 17** The police officer who takes your personal statement will make sure it becomes part of the case papers. This means it will be available to everybody who is involved with your case.

Will I get any feedback about my personal statement?

- 18** You will not get any direct feedback. However, your statement will be added to the case papers and read by all the criminal justice agencies involved with your case.

Who should I contact if I want any more information?

- 19** If you need any more information about a victim personal statement you have made, or a victim personal statement you would like to make, you should get in touch with the police contact shown on the last page of this leaflet.
- 20** You can also contact Victim Support which provides free and confidential support. Victim Support volunteers are specially trained to provide practical help and emotional support to victims of crime and witnesses in court.
- 21** Your local Victim Support Scheme is listed in the local phone book, or you can contact the national Victim Supportline on **0845 30 30 900**.

POLICE CONTACT

If you want to contact the police about a victim personal statement, you should get in touch with:

Name or Contact Point:

Phone:

Fax:

E-mail:

Reference

This should be filled in and stamped beforehand if possible, for example, if there is a central contact point. If this is not possible, the police officer who is handing over the leaflet must fill it in.

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**Crystal
Mark**

Clarity
approved by
Plain English Campaign