

# VICTIM IMPACT STATEMENT

For court use only  
Information Number

Victim's Name \_\_\_\_\_ Police Service \_\_\_\_\_  
Offence Date \_\_\_\_\_ Offence Location \_\_\_\_\_ Incident/File Number \_\_\_\_\_

This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.

Your statement must not include:

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered;
- any unproven allegations;
- any comments about any offence for which the offender was not convicted;
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence; or
- except with the court's approval, an opinion or recommendation about the sentence.

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

### Emotional impact

Describe how the offence has affected you emotionally. For example, think of:

- your lifestyle and activities;
- your relationships with others such as your spouse, family and friends;
- your ability to work, attend school or study; and
- your feelings, emotions and reactions as they relate to the offence.

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### Physical impact

Describe how the offence has affected you physically. For example, think of:

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitations;
- hospitalization or surgery you have had because of the offence;
- treatment, physiotherapy or medication you have been prescribed;
- the need for any further treatment or the expectation that you will receive further treatment; and
- any permanent or long-term disability.

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**Economic impact**

Describe how the offence has affected you financially. For example, think of:

- the value of any property that was lost or damaged and the cost of repairs or replacement;
- any financial loss due to missed time from work;
- the cost of any medical expenses, therapy or counselling; and
- any costs or losses that are not covered by insurance.

Please note that this is not an application for compensation or restitution.

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**Fears for security**

Describe any fears you have for your security or that of your family and friends. For example, think of:

- concerns with respect to contact with the offender; and
- concerns with respect to contact between the offender and members of your family or close friends.

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**Drawing, poem or letter**

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.

I would like to present my statement in court.

To the best of my knowledge, the information contained in this statement is true.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, at \_\_\_\_\_

**Signature of declarant** \_\_\_\_\_

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship to the victim.

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Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, at \_\_\_\_\_

**Signature of declarant** \_\_\_\_\_

# Statement on Restitution

Canada, Province of Saskatchewan.

To the court that is sentencing \_\_\_\_\_ (name of offender) who was convicted, or was discharged under section 730 of the *Criminal Code*, or an offence under that *Act*.

I, \_\_\_\_\_ (name of declarant), declare that (check appropriate box):

- (i) I am not seeking restitution for the losses and damages I suffered as the result of the commission of the offence.
- (ii) I am seeking restitution in the amount of \$ \_\_\_\_\_ for the following losses and damages I suffered as a result of the commission of the offence.

Description <i>(describe each loss and damage)</i>	Amount of loss and damage <i>(state the amount of each loss and damage)</i>
1.	\$
2.	\$
3.	\$
4.	\$

I understand that the amount of my losses and damages must be readily ascertainable by the court. For that purpose, I am responsible for providing the court with all necessary documents, including bills, receipts and estimates, in support of my claim for restitution.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, at \_\_\_\_\_

**Signature of declarant** \_\_\_\_\_

**Incident Information:** Location of incident \_\_\_\_\_ Date of incident \_\_\_\_\_

Name of investigating police agency and officer \_\_\_\_\_

Police incident/file number \_\_\_\_\_ Please indicate whether victim is  Individual  Business or agency

If a business or agency, provide your file number and/or contact person \_\_\_\_\_

**Mailing address:** P.O. Box \_\_\_\_\_ Street address \_\_\_\_\_

City \_\_\_\_\_ Province \_\_\_\_\_ Postal Code \_\_\_\_\_

**Insurance Coverage:** Is the loss/damage insured?  Yes  No If yes, amount of insurance deductible \$ \_\_\_\_\_

Name and phone number of insurance company/adjuster \_\_\_\_\_

Mailing address of insurance company \_\_\_\_\_

Detach and keep 

## Help is available...if you have been the victim of a crime

**The Victims Services Program** helps victims involved in the criminal justice system in Saskatchewan by providing programs and services. If you need help with your Victim Impact Statement or Statement on Restitution, contact the police-based victim services program nearest you, or your local police service or RCMP detachment.

For more information and a list of police-based victim services programs go to [www.saskatchewan.ca](http://www.saskatchewan.ca) and search "police-based victim services" or contact:

Toll free: 1-888-286-6664 In Regina: 306-787-3500  
Email: [victimsservices@gov.sk.ca](mailto:victimsservices@gov.sk.ca)

If you have questions after restitution has been ordered contact:

Toll free: 1-888-286-6664  
In Regina: 306-787-0173  
Email: [restitution@gov.sk.ca](mailto:restitution@gov.sk.ca)

## What is a Victim Impact Statement?

- It is your opportunity to tell the court how this crime has affected you emotionally, physically and financially.
- It is important that the Judge knows how you have been harmed, or suffered loss, as a result of this crime.
- It is one of the factors the Judge may consider at the time of sentencing.

## What should I know before completing a Victim Impact Statement?

- Your completed Victim Impact Statement will be given to the person charged with the crime and his/her lawyer. This is called disclosure and is required by law.
- It will be filed with the court only after the accused person is found guilty. Once it is filed with the court, it becomes a public document.
- Others likely to see your Victim Impact Statement include the Crown Prosecutor prior to sentencing, probation staff when supervising probation orders, and corrections staff when making decisions about the release of the offender from jail.
- Please note: the law requires the Judge to consider only what is relevant to sentencing the offender.
- You may be required to answer questions about your Victim Impact Statement in court at a preliminary hearing, trial or sentencing hearing.

## How will my Victim Impact Statement be presented?

- The Judge may read your Victim Impact Statement prior to sentencing.
- You may read it out loud in court if you want, or present it in any other manner that the court approves of.
- If you are unable to provide a written statement in English or French, you should tell the police, the Crown Prosecutor or police-based victim services.
- In some cases it is possible for a Victim Impact Statement to be recorded and presented in a different way.

## What is Restitution?

- It is money ordered by the court to be paid to a victim as part of an offender's sentence.
- It is to reimburse the victim for the actual loss or damage resulting from a crime.
- It is one way the offender can make up for the harm you have experienced.

### Restitution may cover:

- Damage or loss to your property;
- Financial loss due to fraud;
- Financial loss or expenses due to physical injury;
- The expenses of temporary housing, food, childcare, transportation or moving out of the offender's household, when the harm is to the offender's spouse or child; and
- Financial loss due to unknowingly buying stolen property that has been returned to its lawful owner.

### How do I request Restitution?

- Complete the application on the inside of this brochure.
- Clearly set out the amount of your loss/damages.
- If you need help completing the form or information about the process, contact your local police-based victim services or the Crown Prosecutor.

## What happens next?

- The Crown Prosecutor may use the application to request the Judge to order restitution.
- If an offender is convicted, the Judge may order restitution, but can do so only during sentencing.
- In deciding whether to order restitution, the Judge may ask that a probation officer prepare a report about your loss and the offender's ability to pay.
- You will receive restitution only if the Judge orders it paid to you and the offender complies with the court order.
- Enquiries may be made through your local police-based victim services or the crown prosecutor's office.
- If restitution is ordered, you will receive a letter of notification.
- You may request a copy of the restitution order (from court).
- You should then contact the Victim Services Adult Restitution Program for information about the terms and **next steps for collection** (*see contact information on previous page*).
- If not paid, you may have the restitution order entered as a civil court order judgment that is enforceable against the offender.

### In the Meantime...

- Take whatever steps you feel are necessary to repair damages from the crime.
- **Keep estimates, invoices or sales receipts for the cost of repairs, replacement and directly related costs.**

You may submit a **Victim Impact Statement** or a **Statement on Restitution** or **both**.

### Instruction for Submission:

- Return your completed Victim Impact Statement and/or Statement on Restitution to the investigating police agency as quickly as possible.
- The form(s) must be received before the offender is sentenced so they can be considered by the Judge. Sentencing could happen on the first court appearance. If the form(s) are not received, the case may end before you have the opportunity to provide information.
- If the accused has an upcoming court appearance, return the form(s) directly to the crown prosecutor's office.
- You may submit additions to your completed form(s) up to the date the offender is sentenced.