



Op Hampshire

Victim Personal Statements

A well-constructed Victim Personal Statement (VPS) is important and provides the court with supporting information to suitably sentence a defendant if the impact on the victim is clear. It can have a material and significant influence on the range of sentencing options considered and especially with regards to quantifying harm which looks at:

- the number of injuries
- severity of injury and pain suffered
- duration or longevity of any psychological harm or distress caused

The CPS will need to know that a VPS has been considered and sought even if the victim chooses not to submit one. In the absence of a VPS, it can be very difficult for a court to 'fill in the gaps' or determine the real impact that the assault has had on an emergency worker and especially when thinking about the hidden, invisible or long-term impact including psychological harm.

It is good practice to include something early on at the end of the evidential victim statement because if your suspect is arrested, charged, remanded overnight to court, pleads guilty and is sentenced, this will be the only chance to complete a VPS and it should be readily available at a first hearing.

If the case ends up going to trial then a further, more detailed VPS can be compiled later as the impact becomes more apparent or just before trial to show any lasting effects or ongoing issues as a result of the incident. Quite often, the impact can take effect in stages so capturing this in an updated VPS in advance of a plea, sentencing or trial hearing is absolutely fine.

Although not a requirement, if a close family member, friend or colleague has also been impacted by the crime, a VPS can also be taken from them.

Issues to consider

There is no shame in admitting to fears and feelings. This is often something that as police officers and staff we struggle with and must not reconcile as being 'part of the job'. The whole purpose of a VPS is to demonstrate the impact on you as a human being - going to work to help people, to support people and to protect people.

The courts do not want a robotic or template statement as this does not explain the true impact. We have the same fears, worries and expectations of any member of society and are entitled to the same levels of protection and justice afforded to the public.

A VPS needs to describe the following where relevant:

- Any physical injury sustained and what this has meant in respect of being able to go about your daily life – at home, with friends and family and at work. This should include any treatment have received as a result of the crime.
- Any psychological harm/distress and the impact that this has had on you and those around you. This can include feelings of confusion, anxiety, shame, guilt, frequent crying, over-compliance, powerlessness etc.
- Whether they are a repeat victim and any impact this has on confidence?
- What was the impact on their next shift? Did or do they feel vulnerable or intimidated. Were they in fear and/or worried? If they no longer feel safe or anxious? Are they nervous about patrolling, alone or otherwise?
- Consider the impact on their family life (including the effect anti-viral drugs has had on intimacy with partners or interaction with children and family following a spit, bite or needle stick injury).
- How the quality of their life has changed on a day-to-day basis. Do they have problems sleeping? Medication? Mobility?
- If they need additional support, for example, if they are likely to appear as a witness at the trial.
- The on-going impact of the crime on their lives.

Should any of the above change further down the line the victim is entitled to complete another VPS prior to trial to update the court.

This is because any of the points above may not be immediately evident straight after the assault and tend to present days, weeks or months after the initial assault.

