

錄寫受害者 個人供詞

讓你有機會解釋所發生的罪案對你有何影響

受害者個人供詞。每宗罪案都會有受害人。每名受害人都應有發言權。

有關這份小冊子

你若是罪案的一名受害者，你可能會在多方面受到影響 – 例如在情緒、財務和身體方面。

錄寫受害者個人供詞 (Victim Personal Statement – VPS) 就是讓你將感受記錄下來的一種方法。它可以幫助參與處理你的個案的刑事司法各部門（例如警方、檢控官或法庭）了解該罪案對你和家屬造成的影響。這樣，我們將可以確保你獲得所需的協助與支持。

這份小冊的目的

這份小冊解釋你需要知道有關受害者個人供詞 (VPS) 的所有資料 – 包括它的內容、作用和我們將會怎樣處理你提供的資料等。

你將可看到一些常提到的問題的答案及怎樣錄寫 VPS 的指導。若你有任何疑問或需要任何額外協助，請參閱本冊背頁的聯絡資料。

Making a Victim Personal Statement

Your chance to explain how the crime has affected you

VPS. Every crime has a victim. Every victim deserves a voice.

About this leaflet

When you are a victim of a crime, you can be affected in many different ways – for example emotionally, financially or physically.

Making a Victim Personal Statement (VPS) is a way in which you can put your feelings on record. It will help criminal justice agencies involved in your case (like the police, the prosecutor or the courts) to understand the impact that the crime has had on you and your family. That way we can make sure you get the support you need.

What this leaflet does

This leaflet explains everything you need to know about the VPS – what it is, how it works and what we will do with the information you give us.

You will find answers to some commonly asked questions and guidance on how to make a VPS. At the back, there is contact information in case you have any questions or need any extra support.

研究顯示，大多數錄寫 VPS 的人，都覺得這對他們在刑事司法制度的經歷會有正面的影響。

有關受害者個人供詞 (VPS)

VPS 是甚麼？

VPS 是罪案受害者可以提供給警方的供詞。它與你可能已提供有關罪案的證人供詞 (witness statement) 不同。證人供詞是以文字或錄影形式記錄事發的經過。VPS 記錄該罪案對你和家屬造成的個人影響。它讓你有機會親自解釋該罪案對你 – 不論是身體、情緒、財務或任何其他方面有何影響。

為甚麼它很重要？

你的 VPS 是很重要的，因為它可幫助所有處理該案件的人士 – 包括警方、檢控官和法庭 – 了解該罪案對你的生命造成的衝擊。這會幫助他們對案件作出重要的決定（請看第 3 頁 “它會對該案件有影響嗎？”）

VPS 會成為案件檔案的一部份，所以如果你的案件提交法庭審理，被告律師將會收到一份（請看第 4 頁 “如何使用你的 VPS”）

Research shows that the majority of those who made a VPS felt that it had a positive effect on their experience of the Criminal Justice System.

About the VPS

What is a VPS?

The VPS is a statement that you can give to the police if you have been a victim of crime. It is different from the witness statement you may already have given about the crime, which is a written or video-recorded account of what happened. The VPS is a record of the personal impact that the crime has had on you and your family. It gives you a chance to explain, in your own words, how the crime has affected you – whether physically, emotionally, financially or in any other way.

Why is it important?

Your VPS is important because it will help everyone involved in the case – the police, the prosecutor and the court – to understand the impact that the crime has had on your life. This can help them to make important decisions about the case (see 'Will it make a difference to the case?' on page 3).

The VPS will form part of the case papers, so if your case goes to court, it will be sent to the defendant's solicitor (see 'How your VPS will be used' on page 4).

我可以在 VPS 說些甚麼？

你可以隨意說出該罪案對你有甚麼影響。例如，你可能想提到：

- 你在身體或心理上遭受的任何傷害
- 你是否感到脆弱或受威脅
- 你是否不再感到安全
- 你的家屬受到的影響
- 你日常生活的素質有了甚麼改變
- 你是否擔心有關罪犯會獲得保釋
- 你是否覺得該罪案具有種族動機，或與你的信仰、性傾向或殘障有關連
- 你是否需要額外的支持，例如因你將會在審訊中出庭作證
- 你是否打算就你受到的任何傷害、損失或損壞，向被指控的罪犯索賠。

但是，你的 VPS 不應包括你覺得或認為被指控的罪犯應受到如何懲罰的意見 – 這是應由地方法官或法官來決定的。

它會對該案件有影響嗎？

你的 VPS 是重要的，並可對該案件造成影響。它將可幫助處理該案件的刑事司法各部門（例如警方，檢控官或法庭）了解該罪案對你有何影響，而根據這些資料可以決定是否對被指控的罪犯起訴，或准許被告保釋。

What can I say in my VPS?

You can say whatever you like about how the crime has affected you. For example, you might want to mention:

- any physical or psychological injury you have suffered
- if you feel vulnerable or intimidated
- if you no longer feel safe
- the impact on your family
- how your quality of life has changed on a day-to-day basis
- if you are worried about the alleged offender being given bail
- if you feel that the crime was racially motivated or that your faith, sexuality or disability played a part in the crime
- if you need additional support, for example because you are appearing as a witness at the trial
- if you intend to claim compensation from the alleged offender for any injury, loss or damage you've suffered.

However, your VPS should not include your thoughts or opinion on how the alleged offender should be punished – this is for the magistrate or judge to decide.

Will it make a difference to the case?

Your VPS is important and could make a difference to the case. It will help the criminal justice agencies involved in your case (like the police, prosecutor or courts) to understand how the crime has affected you. This can, in turn, inform decisions on whether to charge an alleged offender, or grant a defendant bail.

我的 VPS 會對判刑有影響嗎？

判刑是由法庭決定的。但是，法官或地方法官在判刑時，將會考慮到該罪案對你的生活造成甚麼影響 – 並會考慮到案件的所有其他證據及有關的判刑指引。你（或你的親屬）認為應該怎樣判刑的意見將不會受到考慮。

如何使用你的 VPS

怎樣處理我提供的 VPS ？

在你提供供詞後，它將成為該案件檔案的一部份。（但是有些資料，例如你個人的聯絡資料，將不會包括在內。）

這意味著該案件涉及的所有人都會看到你的供詞，包括被告和他們的律師、警方、檢控官，如案件提交法庭，還包括法官和地方法官等。

不過，法庭只會在審訊中，被告認罪或法庭裁定有罪時才會考慮你的 VPS。

法庭是否會因我的 VPS 向我質問？

是。法庭或辯方可能就 VPS 的內容向你質問，以便澄清或質疑其中一些疑點。

Can my VPS influence the sentence?

Sentencing is for the court to decide. However, the judge or magistrate will consider how the crime has affected your life when passing the sentence – along with all the other evidence in the case and the relevant sentencing guidelines. Your (or your close relatives') opinion on what you think the sentence should be will not be taken into account.

How your VPS will be used

What happens to my VPS once I've made it?

After you have made your statement, it becomes part of the case papers. (However, certain information, like your contact details, will not be included.)

This means that your statement will be seen by everyone involved in the case, including the defendant and their lawyer(s), police, prosecution, and the judge or magistrate if the case goes to court.

However, your VPS will only be considered by the court if the defendant either pleads guilty at the hearing or is found guilty by the court.

Can I be questioned about my VPS?

Yes. The court or the defence could ask you questions about the content of your VPS to clarify or challenge certain points.

錄寫和更新 VPS

我在何時錄寫 VPS ？

警方通常會在向你錄取證人供詞後，問你是否想提供一份 VPS。他們會幫助你錄寫 VPS，或提供你所需的支持，協助你錄寫供詞。

我是否必須錄寫 VPS ？

如不願意，你無需提供 VPS 的 – 這是由你選擇。罪案可能對人們造成不同的影響，你可能想以不同的方式來表達你的感受。

如果你決定不提供 VPS，這不會影響案件的調查。沒有人會因此作出任何結論或假設，例如以為你沒有受到該罪案的影響。

但是，研究顯示大部份提供 VPS 的人士，都覺得這會對他們在刑事司法制度的經歷有正面的影響。

假如我改變主意將會怎樣？

如果你立即選擇不提供 VPS，不用擔心。你隨時可以在日後要求提供 VPS。如果你在日後決定提供 VPS，請聯絡負責該案件的警員（資料在第 7 頁），並告訴他你想提供 VPS。你可以要求警員前來與你見面，及幫助你錄寫一份 VPS。

Making and updating a VPS

When do I make a VPS?

The police will ask you whether you want to make a VPS, usually after they have taken your witness statement. They can help you to make a VPS or give you the support that you need to help you make a statement.

Do I have to make a VPS?

You don't have to make a VPS if you don't want to – it is your choice. Crime can affect people in different ways, and you might want to express how you feel in a different way.

If you decide not to make a VPS, it will not affect the investigation of the case. No one will draw any conclusions or assume, for example, that you are unaffected by the crime.

However, research shows that the majority of those who made a VPS felt that it had a positive effect on their experience of the Criminal Justice System.

What happens if I change my mind?

If you choose not to make a VPS straightaway, don't worry. You can always ask to make one later on. If you decide to make a VPS at a later date, contact the police officer in charge of your case (shown on page 7) and tell them that you would like to make a VPS. You can ask the officer to come back to see you and to help you make a VPS.

如果你的案件要進行審訊（這是如被告不認罪時），證人照料組 (Witness Care Unit) 將會問你曾否有機會提供 VPS，及讓你有機會錄寫和更新 VPS。

在法庭未對被告判刑前，你可以隨時提供或更新 VPS。因此，切勿延遲提供 VPS。如果被告在首次聆訊時認罪，他可能會在你尚未有機會提供 VPS 前已被判刑了。

我可以如何提供 VPS ？

如果你在提供證人供詞時同時提供首份 VPS，那它會以相同的形式 – 文字、錄影或透過傳譯員 – 記錄下來。警員可以幫助你這樣做。

我可以撤銷或更改我的 VPS 嗎？

不可以。你一旦提供了 VPS 後，就不可將它撤銷或作出更改。但是，你可以在審訊前任何時間提供另一份供詞，以澄清或修改原來的供詞。這份額外供詞會與原先的 VPS 一併呈交法庭。

如果你想敘述罪案造成的全部影響，而這在先前可能還不很明顯 – 例如，若長期的影響到現在才變得明顯，或有較大（或較小）的財務損失，或者你擔心被告會獲准保釋，那你也可以做第二份 VPS。

第二份 VPS 通常是以書寫記錄的。

If your case is going to trial (which happens when the defendant pleads not guilty), the Witness Care Unit will ask if you have been offered the chance to make a VPS and give you the opportunity to make one or update it.

A VPS can be made, or updated, at any time before the alleged offender is sentenced by the court. So don't delay in making a VPS. If a defendant pleads guilty at the first hearing, they may be sentenced before you've had the chance to make a VPS.

How can I make my VPS?

If you make your initial VPS at the same time as you make your witness statement, the VPS will be taken in the same way – in writing, by video or through an interpreter. A police officer can help you to do this.

Can I withdraw or change my VPS?

No. Once you have made a VPS, you can't withdraw or change it. However, you can make an additional statement that clarifies or amends your original statement at any time before the trial. The additional statement will be submitted along with your original VPS.

You can also make a second VPS if you want to describe the full impact of the crime that may not have been obvious beforehand – for example if the longer-term effects are only now becoming apparent, there is a greater (or lesser) financial loss, or you're worried about the alleged offender being granted bail.

A second VPS will usually be taken in writing.

警方聯絡

這是有關你的 VPS 任何事項的警方聯絡。處理你的供詞的警員會填寫這些資料。請安全保存這些資料。

與警方的初步接觸

警員姓名：_____

警署電話號碼：_____

處理該案件的警員 (如與上不同)

警員姓名：_____

警員級別：_____

警員電話號碼：_____

罪案詳情

罪案編號：_____

罪案組電話號碼：_____

Police contact

This is the police contact for anything related to your VPS. The officer dealing with your statement will fill this in. Please keep the details safe.

Initial contact with the police

Name of police officer: _____

Phone number of police station: _____

Police officer dealing with the case (if different from above)

Name of police officer: _____

Rank of police officer: _____

Phone number of police officer: _____

Crime case details

Crime case reference number: _____

Phone number of crime desk: _____

更多資料

如果你對 VPS 有任何其他問題，請與第 7 頁所記錄的警員聯絡，或與你當地警察組的任何警員商談。作為罪案受害者，警員會非常樂意為你提供指導和指引，讓你獲得所需的協助和支持。

你亦可以與受害者支援會 (Victim Support) 傾談，他們的志願工作人員曾受特別培訓，在法庭內為罪案受害者和證人提供實際的協助和精神上的支持。有關你當地的受害者支援計劃，請看區內的電話簿，或致電全國受害者支援熱線 (Victim Supportline) 電話：**0845 30 30 900** 查詢。

你可以在刑事司法制度 (Criminal Justice System) 網站看到有關 VPS 的更多資料，網址 www.cjsonline.gov.uk/victim/coming_forward/victim_personal_statement

這份小冊亦備有多種語文譯本。欲索取另一版本，請向警方查詢。

More information

If you have any further questions about the VPS, get in touch with the police contact shown on page 7 or talk to any member of your local police team. As a victim of crime, police officers will be more than willing to advise you and guide you to get the help and support you need.

You can also talk to Victim Support, whose volunteers are specially trained to provide practical help and emotional support to victims of crime and witnesses in court. Your local Victim Support Scheme is listed in the local phone book, or call the national Victim Supportline on **0845 30 30 900**.

You can find more information about the VPS on the Criminal Justice System website at www.cjsonline.gov.uk/victim/coming_forward/victim_personal_statement

This leaflet is also available in several different languages. Ask the police if you would like an alternative version.



Criminal Justice System: working together for the public