

(Date Reference is written)

*To the presiding Magistrate,
(Applicable Court) Magistrates' Court*

Your Honour,

(1st Paragraph - The introduction; This should always state who you are and what you do for a job or previously did for a job. This paragraph should also include how long you have known the person you are writing the reference for and how you met. This needs to be very clear and additionally include if you know the accused's family or other friends.)

(2nd Paragraph - The person's character; This paragraph is used to describe the type of person in terms of personality and positive traits or habits of the accused that you are writing the reference about and include the challenges both mentally, physically or socially you know the accused have had previously before the offending and after the offence if any exist. **INCLUDE ANY HARDSHIPS OR CHALLENGES THE ACCUSED IS FACING DUE TO THE OFFENDING.** A character reference should convey the many positive qualities of the accused. Has the accused performed any voluntary work? Does the accused look after the sick? Or maybe the accused is a coach of a junior footy team and is much admired by all members of the team. Explain this to the Magistrate or the Judge by citing specific details that will paint a clearer picture of a person's life. For example:

"As John's older brother, I know how hard it was for him to grow up without a mother and to lose such an invaluable person at the start of someone's teenage years. He had so much grief that it became a challenge for him to communicate with other people. "

(3rd Paragraph - The offence; Discuss the offence in MINOR detail here and ensure the Court understands you are not justifying or rationalising the accused's behaviour. How a specific sentence will affect an accused's job, family, etc. must be clearly communicated in your character reference. Will the accused lose a promising career if a conviction is imposed? Would the accused's family suffer if his or her licence is cancelled and the family's only source of income is the accused's driving job? Please ensure to include the accused's remorse and acknowledgement of the victims if any are involved.

(4th Paragraph - Conclusion; Finish the reference by thanking the Magistrate/Judge for reading the reference and include if you wish to continue to be supportive to the accused.

Kind regards,



Your Full Name

Your Mobile Number

Your Address

IMPORTANT FACTS TO REMEMBER WHEN PROVIDING A REFERENCE

- 1. HAVE THE REFERENCE SIGNED AND DATED.**
- 2. INCLUDE ANYTHING ELSE YOU FEEL RELEVANT IN PROVIDING THE COURT WITH INSIGHT INTO THE PERSON YOU ARE WRITING THE REFERENCE FOR.**
- 3. NEVER PROVIDE MISLEADING OR FALSE INFORMATION ABOUT THE PERSON.**
- 4. NEVER SUGGEST WHAT SENTENCE OR PENALTY THE JUDGE/MAGISTRATE SHOULD IMPOSE.**
- 5. NEVER CRITICISE THE VICTIM, POLICE OR OTHER PEOPLE INVOLVED IN THE INCIDENT.**