



Factsheet 21: How to write support letters for a client who is going to the Magistrates Court

When a person is facing a criminal charge it can be helpful to their case if they are able to obtain some character references from independent adults (not family members) who can comment on their character and/or personal circumstances. The following is a list of what a court support letter in relation to a criminal charge should include. The letter should:

- Have the contact name and address of the person writing the letter
- Have the date the letter is written
- Be addressed: To the Presiding Magistrate
- State who the person is (their name and occupation and qualifications (if relevant) and in what capacity the person knows the person facing the charge (eg friend, boss, doctor, support worker, counsellor etc)
- If relevant, describe the nature of the organisation through which they know you (eg describe the support service)
- State how long they have known the person facing the charge
- Indicate that they are aware that the person they are writing the letter for has been charged with an offence (eg Driving under the influence)
- Provide some comments on the person facing the charge's personal circumstances and character, without using extravagant language or exaggerating
- If relevant, provide information about how they can support the person facing the charge in the future (eg continue to provide counselling/support etc)
- Provide a contact phone number in case the court wants further information.

Other points to remember:

- Only original documents can be given to the court so please provide an original letter, not a photocopy
- The court cannot accept a letter written for another purpose. The letter must address the charge the person is facing on the day
- If providing medical evidence it is not necessary to also comment on the person's character. A medical letter also does not need to make reference to the charge
- Don't suggest outcomes or punishments. Sentencing is the Magistrate's role.