

### What is a character reference?

This is a letter to the Magistrate written by an adult who knows you. It tells the Magistrate about your character. A character reference is important if you are pleading guilty. The Magistrate will take your character reference into account when deciding what your Court outcome should be.

You can have as many character references as you want. Two or three character references are ideal. It is best if your character reference is typed out, if it is hand written make sure it is neat and that the Magistrate can read it. One page is a good length for a character reference.

### Who can write a character reference?

- The person writing your character reference is known as your referee
- Your referee needs to be a person over the age of 18 and someone who knows you well
- It is best if your referee has known you for 2 years or more
- Your referee **does not** need to attend court
- You *should* try to find someone who has good standing in the community (e.g. an employer, teacher, university professor)

### Is it difficult to write a character reference?

There is nothing difficult about writing a character reference. It only needs to be in the referee's own words and be an honest reference about you.

### What does my referee need to write about?

- If the matter is in the Children's Court the reference needs to be addressed to:  
The Presiding Magistrate  
ACT Children's Court
- If the matter is in the Magistrates Court the reference needs to be addressed to:  
The Presiding Magistrate  
ACT Magistrate Court
- The referee **must** put their address, occupation and sign the character reference

- Your referee needs to put your name on the character reference so the Magistrate knows it has been written for you and about you
- Your referee needs to say how he or she has come to know you. For instance, as your employer, work colleague, teacher, family friend, Pastor or relative.
- Your referee needs to say how long he or she has known you
- Your referee must state that he or she knows about:
  - a) the charges that you are in Court for; and
  - b) any previous offences you have had
- Your referee can tell the Magistrate if you are sorry or remorseful about the offence and if you have learnt anything from your experience
- Your referee can write about any changes in behaviour they have seen in you, since being in custody
- Your referee can write about work, sports, hobbies, charities, or any other activities that you enjoy and are good at and your achievements
- Your referee can tell the Magistrate about special issues or problems you are facing which may have contributed to you committing the offence
- Your referee can tell the Magistrate if your behavior is out of character
- If your referee is willing to support your rehabilitation, this would be looked upon favourably
- If your referee is your employer and if they are willing for you to continue employment, that would also be looked upon favourably

#### Useful Contacts

##### Legal Aid

General Enquiries

02 6243 3411

Free Helpline

1300 654 314

2 Allsop Street Canberra

GPO Box 512 Canberra 2601

##### ACT Magistrates Court

4 Knowles Pl, Canberra

##### Family Court

Cnr University Ave &

Childers Street Canberra

#### Complaints & Suggestions

If you have any complaints or suggestions about our services, please write to the Chief Executive Officer at our postal address.

#### Interpreter

If you need an interpreter, please contact Translating and Interpreting Service (TIS) on 131 450.



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<http://www.facebook.com/legalaidact>

## Tips

- The reference letter should be typed out
- If possible, see if your referee can put the letter on letterhead
- Make copies of the character reference, to keep a record for yourself and to send to the DPP

## Mistakes to AVOID

- Having a child writing out a reference letter
- Suggesting a sentence to the Magistrate
- Giving an original letter to the Magistrate (keep the original, send a copy)
- Making out that you are the victim if you are the accused

## Remember

Bring your character references to Court with you and give them to your solicitor or, if you are self-represented, give them to the Magistrate. Do not have your referee send the character reference to the Magistrate or the Court.