

Character References

What is a character reference?

A character reference is a letter to the Magistrate. It is written by an adult who knows you. It is also known as a personal reference.

A character reference tells the Magistrate about your character. This 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. One page is a good length for a character reference.

The person writing your character reference is known as a referee.

Who can write a character reference?

- Your referee needs to be over the age of 18 and must know you well. It is best if your referee has known you for 2 or more years.
- Your referee **does not** need to attend court
- You *should* try to use someone who has good standing in the community, such as an employer, teacher or university professor.

Is it difficult to write a character reference?

It is not difficult to write a character reference. A character reference is an honest opinion about your character. It should be written in the referee's own words, and have a formal tone.

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

Do not send the character reference to the Court.

The referee **must** put their address and occupation in the character reference. It must also be signed.

Your referee needs to put your name on the character reference. This will mean that the Magistrate knows it is written about you.

Your referee needs to say how they know you. For instance, as your employer, teacher, or family-friend.

Your referee needs to say how long they have known you for.

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 about the offence, and if you have learnt anything from your experience.

Character References

Your referee can write about any changes in your behaviour since the offence.

Your referee can write about work, sports, hobbies, charities, or any other community-activities you are involved in.

Your referee can tell the Magistrate about special problems you are facing which may have contributed to you committing the offence.

Your referee can tell the Magistrate if your behaviour was strange, or out-of-character.

If your referee is willing to support your rehabilitation, this would be looked upon positively.

If your referee is your employer and if they are willing for you to continue employment, this would also be looked upon positively.

Tips

- The reference letter should be typed out, not hand-written.
- Put the date at the top of the letter
- Start with 'Your Honour'
- Make copies of the character reference, to keep a record for yourself.

Avoid

- Having a child, or someone under 18, write the character reference.
- Suggesting a sentence to the Magistrate.
- Giving an original letter to the Magistrate. You should keep the original, and send a copy.

Remember

Bring your character references to Court with you and give them to your solicitor. 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. If you do this, it is likely they it will get lose, and won't be seen by the Magistrate.