



References for court

This fact sheet has information on what a reference is, who can provide a reference, what should and should not be in a reference, and how Legal Aid WA can help.

What is a reference?

A reference for court is a written document, usually a letter, that helps the court know a bit more about you.

References are helpful when you are being sentenced for a criminal offence.

They can sometimes make a big difference in what penalty the court gives you and can be important when applying for a Spent Conviction Order.

You will find videos on Spent Conviction Orders on the Legal Aid WA website.

What should be in a reference?

References should be addressed to the Presiding Magistrate (or Judge if you are in the District or Supreme Court).

- » It should be typed or neatly hand written, dated and signed.
- » It should say who is writing the reference, how they know you, and that they know why you are in court.
- » It should also tell the court a bit about you.

For example: if a reference is from your doctor or counsellor, it may talk about your health issues and what you are doing to get better.

If it is from your employer, it may say that you have a job and that you are a hard worker.

If it is from a long-time family friend, it may say that your behaviour is out of character and that they believe you will not get into any further trouble with the law.



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Who can provide a reference?

A reference may be provided by anyone. However, it is better if it comes from someone who is respected in the community and has known you for a long time.

Some examples of people who can write a reference for you include your employer, teacher, doctor, religious or community leader, and even family and friends.

References from family and friends may not be as useful as more independent ones.

What should not be in a reference?

References should not say:

- » that you did not commit the offence, or
- » make excuses for what you did, or
- » blame the victim or other people for what happened, or
- » suggest what specific penalty you should or should not receive.

How can Legal Aid WA help?

A Legal Aid WA duty lawyer can advise you about references for court.

For more information on references, see the Legal Aid WA website.

This fact sheet contains information only. It is not legal advice. If you have a legal problem, you should speak to a lawyer. Legal Aid WA aims to provide accurate information, but does not accept responsibility if it is not.

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