



Northern Territory Legal Aid Commission

GUIDE TO COMPILING A REFERENCE

If you have to go to Court it is useful to be able to give the Court written references about yourself. References provide independent opinions about your character and background for the Court to consider. The person who writes a reference for you is called a referee. Before you ask a person to become your referee you must tell them why you have to go to Court. Your referee needs to include the following information in their reference:

- § The reference must be addressed to:
 - “The Sentencing Magistrate” if you are appearing in the Court of Summary Jurisdiction (Magistrates Court); or
 - “The Sentencing Judge” if you are appearing in the Supreme Court.
- § The opening paragraph of the reference should be in the following terms: “I am aware that (*your name*) is before the court charged with (*short description of offence/s “aggravated assault”, “unlawful entry”, whatever the case may be*). They should state that they have written the reference specifically for court.
- § The referee should set out the period of time they have known you and how they know you.
- § The opinion the referee has of you. This should include comments on what they know about your general character, reputation, background, current family circumstances, education and employment.
- § What standing the referee has in the community in general (eg, doctor, football coach, foreman at place of employment, mayor, relative, teacher, etc).
- § Any other information or comments that could be favourable, such as your contribution to the community, (eg, you are a sports coach, volunteer, etc)
- § Any other matter the referee feels is relevant, perhaps including comment on whether you have acted out of character in committing the offence/s. The referee may be able to comment on particular circumstances that may have led to you acting out of character.
- § Referees should be careful NOT to make suggestions as to penalties, for example suggesting a bond or a fine. That is the job of the lawyers.

References are only helpful if they are specific. References that are too general and do not connect your general character with the offence/s committed will be not be useful in court. It is a good idea to get more than one reference from a variety of people who have known you in different ways.

References must be signed and dated by the referee. If the referee holds any formal position (eg, bank manager, teacher, etc) they should include this. If possible the letter should be written on letterhead.

If the referee needs assistance to write the letter, ask them to contact your lawyer.

For further information contact our free **Legal Information Line** on **1800 019 343**.