

Impact Statement for Business

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates; Courts Act 1980, s.5B

The Impact Statement for Business (ISB) gives you the opportunity to set out the impact that a crime has had on the business such as direct financial loss, and wider impacts, e.g. operational disruption or reputational damage. The court will take the statement into account when determining sentence.

In this statement you should not provide an opinion or recommendation on the sentence or sanctions that the court should use. This is for the court to decide. You should limit the information you give in this statement to the impact this particular crime has had on the business, rather than providing information on how any previous criminal activity may have affected the business (unless, for example, this crime results from the repeat offending of the same offender).

The business should consider carefully who to nominate as the representative to make the statement on its behalf. Once you have completed this form, you should return it by email or by post to your police contact.

A person making an ISB on behalf of a corporation ("the nominated representative") must be authorised to do so on its behalf. The nominated representative must also be in a position to give evidence that is admissible in court about the impact of the crime on the business. The nominated representative may be required to answer questions on the ISB in court.

You should be aware that if you choose not to make a statement at the outset of the proceedings, you may not have another opportunity to make one later on. This is because the case may be dealt with by the courts very quickly.

In more complex cases which may take longer to be dealt with by the courts, you may wish to take more time to collect relevant information, for example, accounts or other business documents. The police will be in touch to let you know the date of the first hearing date and at that stage, you will need to make or update your ISB through your nominated representative.

Name of business affected

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Business address

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Contact name

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Telephone number

.....

Home address

.....

.....

.....

Crime number

.....

Police officer attending

.....



1. Financial Impact

☐ Please check this box if the business suffered no financial losses as a result of this crime.

1.1 Direct financial losses

These could include but are not limited to:

- Assets lost or stolen
- Damage to buildings and property

Please explain how your business has suffered a direct financial loss as a result of the crime.

1.2 Other, indirect financial costs

These could include but are not limited to:

- Loss of custom
- Impact on consumer confidence
- Staff time
- Expenditure on security measures (e.g. physical infrastructure, IT)
- Medical expenses
- Costs of contractual staff

Please explain how your business has suffered an indirect financial loss as a result of the crime.

2. Non-Financial Impact

Please explain how the incident has had a non-financial impact on your business. This could include:

- Reputational damage
- Physical injuries sustained by staff or customers

3. Other comments

Please use this space to set out any further comments you wish to make about the impact of the crime on your business.

4. Do you intend to seek compensation as a result of the crime?

Yes/No

Declaration

The statement (consisting of__ page(s) signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false, or do not believe to be true.

Signed:

.....

Date:

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Annex: Case study

Kevin is the Managing Director of a medium-sized food retailer in Nottingham city centre. At 8pm on a Saturday night, a group of five males entered the store, assaulted two members of staff and stole £210 from the cash register. They also damaged £30 worth of stock, broke two windows, damaged a CCTV camera and assaulted two members of staff. These members of staff decided to make Victim Personal Statements to explain how the crime affected them in addition to the ISS form that Kevin decided to complete. When completing the ISS form online, Kevin decided to include the following information to explain how the crime had affected the business:

Direct financial losses

- £210 stolen from the cash register;
- £30 worth of stock damaged;
- Damage to buildings and property;
- £200 to replace the windows which is being claimed back on insurance;

Documentation was provided where possible to verify the financial losses.

Other indirect financial costs

- Two members of staff, Ahmed and Sally, suffered injuries which caused them both to miss two weeks of work. This cost the business in additional outlay on Statutory Sick Pay and to recruit a temporary replacement.
- The shop was closed for two days whilst the clean-up occurred and the windows were replaced. This caused additional financial loss in two days of trading when the average daily turn over of the business is £2,500 per day. This also hit consumer confidence and the average turn over fell sharply for two weeks after the incident.
- Additional expenditure was also required on a new CCTV camera which was damaged in the incident.

Non-financial impacts

- The temporary closure of the store hit consumer confidence and potentially has had along term negative impact on the reputation of the business.
- Two customers reported receiving minor physical injuries in the incident. These customers have not returned since the incident.