Witness Service

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What is Witness Service

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Can I get further support after court?

If you need further support once you've finished giving evidence as a witness, please speak to us at the Witness Service. We can refer you to suitable support services or organisations to meet your individual needs.

What is a late guilty plea?

Sometimes, the defendant may plead guilty just before the trial. If this happens, the case will not be heard, and you will not need to give evidence.

This applies even if you've turned up to court on the day. Although this may feel like a huge anti-climax after preparing yourself to give evidence, your preparation for attending court is still really valuable.

What if I disagree with the verdict?

The Unduly Lenient Sentence (ULS) scheme allows anyone to ask for Crown Court sentences to be reviewed by the Attorney General's Office if they believe the sentence is too lenient.

You can find out more information about the scheme and the specific types of cases that can be reviewed on the government website at the following link: gov.uk/ask-crown-court-sentence-review.

How will I be informed about the verdict?

If you leave the court without knowing the verdict, you'll usually be informed by the officer in the case (OIC) or your witness care officer from the Witness Care Unit if you're a prosecution witness. If you're a defence witness, you can ask the defence solicitor for the outcome.

The defendant will either have been found guilty or not guilty.

Not guilty verdict: when there's a not guilty verdict, the criminal justice process is now concluded in the eyes of the law.

Guilty verdict: once a guilty verdict has been made, the offender will be sentenced. Sometimes this takes place immediately, but often a sentencing hearing is set for days, weeks or even months later. This is to ensure the judge or magistrate has all the information they need to decide an appropriate sentence.

What happens after I have given evidence at court?

After giving your evidence, your role as a witness is ended and you're free to leave the court. Alternatively, you can:

- Return to the witness waiting area to speak to a Witness Service supporter if you need to talk about what you've just experienced or need support.
- Watch the rest of the trial from the public gallery, if this applies to your case.

It's important not to talk to any other witnesses involved with the case about anything you said or heard in the courtroom, or the public gallery if you choose to watch further evidence being given. This also means not posting about the case on social media or discussing the case during breaks.

Can I take a break during the trial?

Yes – you can ask the judge or magistrates for a break or toilet break if you need one during questioning.

Can I listen to other witnesses giving evidence?

You're allowed to sit in the back of the court after you've given your evidence and been released (the judge or magistrates have said you can go).

However, before you decide whether to stay and listen to other witnesses, it's worth thinking about how this might make you feel. If you're unsure, you can talk to a Witness Service supporter who can help you consider what's best for you.

How do I give my evidence?

When it's time to give your evidence, a court usher will collect you from the waiting area and take you to the courtroom.

They'll show you where to stand – this is called the witness box – and help you take your oath or affirmation, which is your promise to tell the truth. You can either swear on a holy book or make a non-religious affirmation.

Once you're sworn in, the solicitor who called you as a witness will ask you questions to help you explain what happened. When they finish, the other solicitor will ask questions too – this is called cross-examination. These questions may feel more challenging as the opposing side want to test the credibility of your evidence or highlight any inconsistencies.

If you're unsure what is being asked, you can ask for the solicitors to repeat a question or to say it in a different way. If you do not know the answer to a question, you can say so: you should never guess or make up an answer if you're unsure.

What do I call the judge?

If you need to speak directly to the judge during the trial, you can use 'Judge' if you're unsure what to call them. For example, "Yes, Judge".

You can also ask the Witness Service supporter, or the CPS prosecutor or defence solicitor, what to call the judge before you give your evidence.

The judge will understand you are not a legal expert and may be nervous, so it's okay if you address them incorrectly by mistake.

Will anyone talk to me about the case before I go into the courtroom?

If you're a witness for the prosecution

Before you give your evidence, and while you're waiting in the witness waiting area, the CPS prosecutor or someone else from the prosecution team will

speak with you about the case. They'll be dressed for court and may be wearing a wig and gown.

If you're a witness for the defence

If you're a witness for the defence, the defence lawyer or someone from the defence team will visit you in the waiting area before you give evidence.

What are special measures and am I entitled to any?

You may be eligible for extra support in court to help you feel more at ease and to give your best evidence.

This is called 'special measures' – which are things the court can provide or do to put you at ease and make your experience of giving evidence as comfortable as possible. Witnesses who are vulnerable or intimidated can ask for special measures.

They are not automatically granted – the CPS will need to apply in advance to the court to request the special measures you think would help you to give your best evidence.

The judge or magistrate will decide on what special measures can be granted based on the information provided in the application.

We have further information on special measures that you can explore.

Do I have to see the defendant in court?

If you're a witness for the prosecution, you might feel worried or anxious about seeing the defendant. Some special measures may help with this. For example, screening the witness box so you do not have to see the defendant when giving your evidence.

For more information, speak to your witness care officer or officer in the case (OIC).

Can I read my witness statement while I'm in the waiting area?

Yes, you'll be given a copy of your witness statement which you can read while you're waiting – or you'll be able to watch your pre-recorded video witness statement.

This allows you to refresh your memory on the evidence you gave to the police or the defence legal team. If you need help to read your statement, please tell a member of the Witness Service.

You will not be allowed to read your witness statement when giving your evidence in the courtroom.

Do prosecution witnesses and defence witnesses sit together in the waiting area?

No, prosecution witnesses and defence witnesses do not sit together. They sit in separate waiting areas.

Are there any items I am not allowed to bring to court?

There are some items you're not allowed to bring into court. For example, you cannot bring in any knives or weapons, any blades or other sharp items, glass, tools, alcohol, or liquids that are not drinks or prescription medicine. A full list can be found on the GOV.UK website at the following link: gov.uk/entering-court-or-tribunal-building.

Can I bring my prescription medication to court?

Yes, you can bring any medication you need to court. Just ensure it's clearly labelled with the pharmacy and the date it was issued.

Do I have to go through security?

You'll need to go through security when you arrive at court. This will be an airport-style security check. It may feel a little daunting, but the process helps keep everyone in the court safe, and everyone who enters the building goes through security.

If you feel nervous, need assistance, or have questions, the security officer will be there to support you.

We have more information about what to expect as you go through security at court.

Will a Witness Service supporter be at court on the day?

Yes, a Witness Service supporter will be at the court with you on the day. They can answer any questions you have but will not discuss the case or your evidence with you.

What happens when I arrive at court?

When you arrive at court, you'll go through security and then wait until you're called to give your evidence.

If you're a vulnerable or intimidated witness, the Witness Service may arrange a separate entrance and a private waiting area. A Witness Service supporter

will be available to stay with you, explain the court process, and answer any questions – but they will not discuss your evidence or details of the trial with you.

Find out more about what to expect when you arrive at court.

What expenses can I claim and how do I do this?

You can claim expenses for costs you've experienced due to being a witness in a court case. These costs can include travel, food, loss of earnings and childcare. There are set amounts you can claim.

If you're a prosecution witness, the Crown Prosecution Service (CPS) is responsible for paying these expenses and aims to pay valid claims within 10 working days.

You can claim expenses online at the following link: claim-witness-expenses.cps.gov.uk

If you're a defence witness, you can ask the defence solicitor about claiming expenses.

You'll need to keep all your receipts for the expenses you're claiming for, so you can attach these to your claim form, or upload them if you're completing the claim online.

What if I cannot afford to go to court?

If you cannot afford to go to court, you should contact your Witness Care Unit officer or the defence solicitor and explain the situation.

Attending court can mean unexpected financial costs from things like travelling, childcare, parking and refreshments. Depending on your

employment, you may need to take a day off work (which could be unpaid) or decline work if you're self-employed.

You can claim expenses and an allowance for attending court as a witness.

How long will it take at court?

This depends on several factors. If you are a prosecution witness, the Witness Care Unit officer and the Witness Service will keep you updated as the trial progresses. If you are a defence witness, the defence solicitor or a member of the defence team will keep you informed.

Can I visit the court before the trial, so I know what it looks like and what to expect?

The Witness Service can help you arrange to visit a court building before the trial starts, to find out what it's like and what to expect on the day of the trial. This is called a pre-trial visit and can help you feel more confident on the day, so you can give your best evidence.

The pre-trial visit should take place at the court you're due to attend. (If the court changes, we can offer you another pre-trial visit – or a virtual pre-trial visit – of the new court.)

You can request a pre-trial visit of the courtroom or a virtual pre-trial visit through your Witness Service supporter.

How do I find the court?

You'll find details of which court to attend on the letter you received from the Witness Care Unit asking you to give evidence at court. If you're unsure, you

can ask the Witness Care Unit or officer in the case (OIC) if you're a prosecution witness, or the defence solicitor if you're a defence witness.

For more information about the court, and directions to it, visit the GOV.UK website at the following link: gov.uk/find-court-tribunal.

Can I bring my children to court?

It is not advisable to bring children to court (unless they are witnesses) because court is not a suitable environment for young children.

There will be no childcare available in the court building while you give evidence, and the Witness Service cannot look after any children at court unless they are witnesses.

If you have school-age children, you could consider asking a friend or family member to help you by dropping them off and picking them up from school. Schools may also be helpful with afterschool clubs but if this is not possible or you have any issues, tell the person who invited you to attend court (the Witness Care Unit officer or defence lawyer.)

If your children are younger than school age, you'll need to arrange childcare. You can speak to the Witness Care Unit or officer in the case (OIC) if you're a prosecution witness, or the defence solicitor if you're a defence witness, about claiming back childcare costs.

What should I wear to go to court?

There is no dress code for attending court and it's important to wear something you'll feel most comfortable in.

Judges, magistrates and court staff may be wearing more formal clothing, such as wigs, gowns or suits. But you do not have to wear a suit or any sort of formal clothing.

You may want to consider wearing layers in case it's particularly warm or cold in the court building.

Should I take anything with me?

You might need to wait for a period of time at court before you're called into the courtroom to give your evidence.

You could consider bringing any of the following:

- the letter you received asking you to attend court to give evidence
- a book, e-book reader, magazine, phone or tablet to occupy you until it's time to give your evidence.

We have more suggestions of things you could consider bringing.

How do I prepare to go to court?

It may help to think about a few practical things in advance to make your day in court go more smoothly. This could include anything you want to take with you, how you will get there, and whether you need to take time off work or arrange childcare.

What if my trial is delayed?

Sometimes trial dates can change, and this can be at short notice. This might be because a courtroom is needed elsewhere, or a judge is not available.

There are usually more trials scheduled in England and Wales than there are courtrooms available.

When a trial is postponed, this is called an adjournment. It can be hard to hear your trial has been delayed but knowing this could happen might help you feel more prepared as your court date approaches.

How will I know when to go to court?

If you're a prosecution witness, a Witness Care Unit officer will contact you and tell you when you need to attend court. You will also receive a letter which tells you your court date and which court you need to go to.

If you're a defence witness, you'll be informed by your defence solicitor of the date and time you'll need to go to court. They may give you a fixed date or a 2–4-week period to keep free.

Do I have to give evidence at court?

If you made a statement – whether to the police or a member of the defence team – you may have been asked to sign the statement agreeing to attend court as a witness.

If you have been asked to attend court, it's highly likely you'll need to give evidence.

Should you decide not to attend, the magistrate or judge can issue a summons requiring you to come to court. In some cases, if you still do not attend, a warrant can be issued for your arrest, and you will be brought to court to explain why you have refused to attend willingly.



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Organisation referral form

Witness form

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