RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Reference Number

Statement of:

Age if under 18 (If over 18 insert 'Over 18')

Occupation

This statement (consisting of ____ page(s) each 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 in it, which I know to be false, or do not believe to be true.

Signature: …….. Date: …….

Cross here if witness evidence is visually recorded ☐ *(supply witness details on rear)*

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Signature: ..... **Signature witnessed by:**.....

Continued…

RESTRICTED (when complete)

Continuation of Statement of		Page No. of

Signature: ..... **Signature witnessed by:**.....

Signature: ..... **Signature witnessed by:**.....

Signature: ..... **Signature witnessed by:**.....

RESTRICTED - FOR PROSECUTION USE ONLY
(When Complete)

Witness contact details

Home address: Postcode:			
Home telephone No:		Work telephone No:	
Mobile/Pager No:		E-mail address:	

Preferred means of contact *(specify details)*:

Best time of contact *(specify details)*:

Male ☐ Female ☐ Date and place of birth:

Former name: Ethnicity Code (16 + 1) Religion / Belief *(Specify)*

DATES OF WITNESS NON-AVAILABILITY

Witness care

a) Is the witness willing to attend court? Yes ☐ No ☐
If 'No', include reason(s) on form **MG6**.

b) What can be done to ensure attendance?

c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? If 'Yes' submit MG2 with file. Yes ☐ No ☐

d) Does the witness have any particular needs? Yes ☐ No ☐
If 'Yes' what are they? *(Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)*

Witness Consent (for witness completion)

a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes ☐ No ☐

b) I have been given the Victim Personal Statement leaflet Yes ☐ No ☐

c) I have been given the leaflet "Giving a witness statement – what happens next?" Yes ☐ No ☐

d) I consent to police having access to my medical record(s) in relation to this matter *(obtained in accordance with local practice)* Yes ☐ No ☐ N/A ☐

e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes ☐ No ☐ N/A ☐

f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA: Yes ☐ No ☐

g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services: ☐

Signature of witness:…… PRINT NAME ……..

Signature of parent/ guardian/appropriate adult: ……..…… PRINT NAME: ……..

Address and telephone number if different from above:

Statement taken by *(print name)*: ……

Time and place statement taken: ……

Witness Information

You have provided a written witness statement to Newcastle-under-Lyme Borough Council and as a consequence, at some later date, it may be necessary for you to attend Court to give evidence. This will of course depend upon a number of factors such as whether there is sufficient evidence and it is in the public interest to proceed to a court hearing.

If court proceedings are considered to be appropriate, it does not necessarily mean you will be asked to attend court to give evidence. The Defendant may plead guilty, or the contents of your written statement may be accepted without the need for you to attend court.

GIVING A WITNESS STATEMENT - WHAT HAPPENS NEXT?

Now you have made a statement, you may be asked to give evidence in court, but it maybe some time after you gave your statement, as cases take time to prepare.

What if someone tries to intimidate me?
It is a criminal offence to intimidate (frighten) a witness or anyone helping in an investigation. If you are harassed or threatened in any way before, during or after the hearing, you should tell the police immediately.

Is there anything else I can do?
Yes, it is important to tell the council:-

- If you have left anything out of your statement or if it is incorrect;
- If your address or phone number changes; and
- Dates when you may not be available to go to court. Please update us with this information as soon as it changes. This information is needed when the court date is set.

Will the suspect (the "defendant") or the defence lawyer be given my address?
No, your address is recorded on the back of your witness statement and the defendant or his or her solicitor only receives a copy of the front of the statement. Also, witnesses are not usually asked to give their address out loud in court. The defendant or his or her solicitor is normally told the names of any witnesses.

What will happen to my statement?
The council will review the information it has and establish if action in the courts is appropriate.

Who will read my statement?
Everyone involved with the case will read your statement (for example the defence and the magistrates or judge).

Will I have to go to court?
You will only have to go to court if the defendant:-

- Denies the charge and pleads "not guilty"; or
- Pleads guilty, but denies an important part of the offence, which might affect the fine he or she receives.

If you are asked to go to court, the prosecution and defence lawyers will ask you questions about your evidence. You will be able to read your statement to refresh your memory first**. If you have given a statement and are then asked to go to court to give evidence, you must do so.**

What will happen if I don't go to court?
If you have any problems or concerns about going to court, you must inform the person who asked you to go to court as soon as possible. If you have to go to court, but there is reason to believe that you will not go voluntarily, the court may issue a witness summons against you. If you still fail to go to court without a good reason, the court could find you "in contempt of court" and issue a warrant for your arrest.

Where will the case be heard?
Most cases are heard in a Magistrates` Court by magistrates or a district judge. Jury trials for more serious crimes are held in the Crown Court.

Can I get more information from anywhere else?
You can get general information about the criminal justice system (the Police, the Courts and the CPS) and more information about being a victim or witness from www.direct.gov.uk

UK Online offers free or low-cost access to the internet in over 6,000 centres throughout the UK. Call **0800 771234** to find your nearest centre