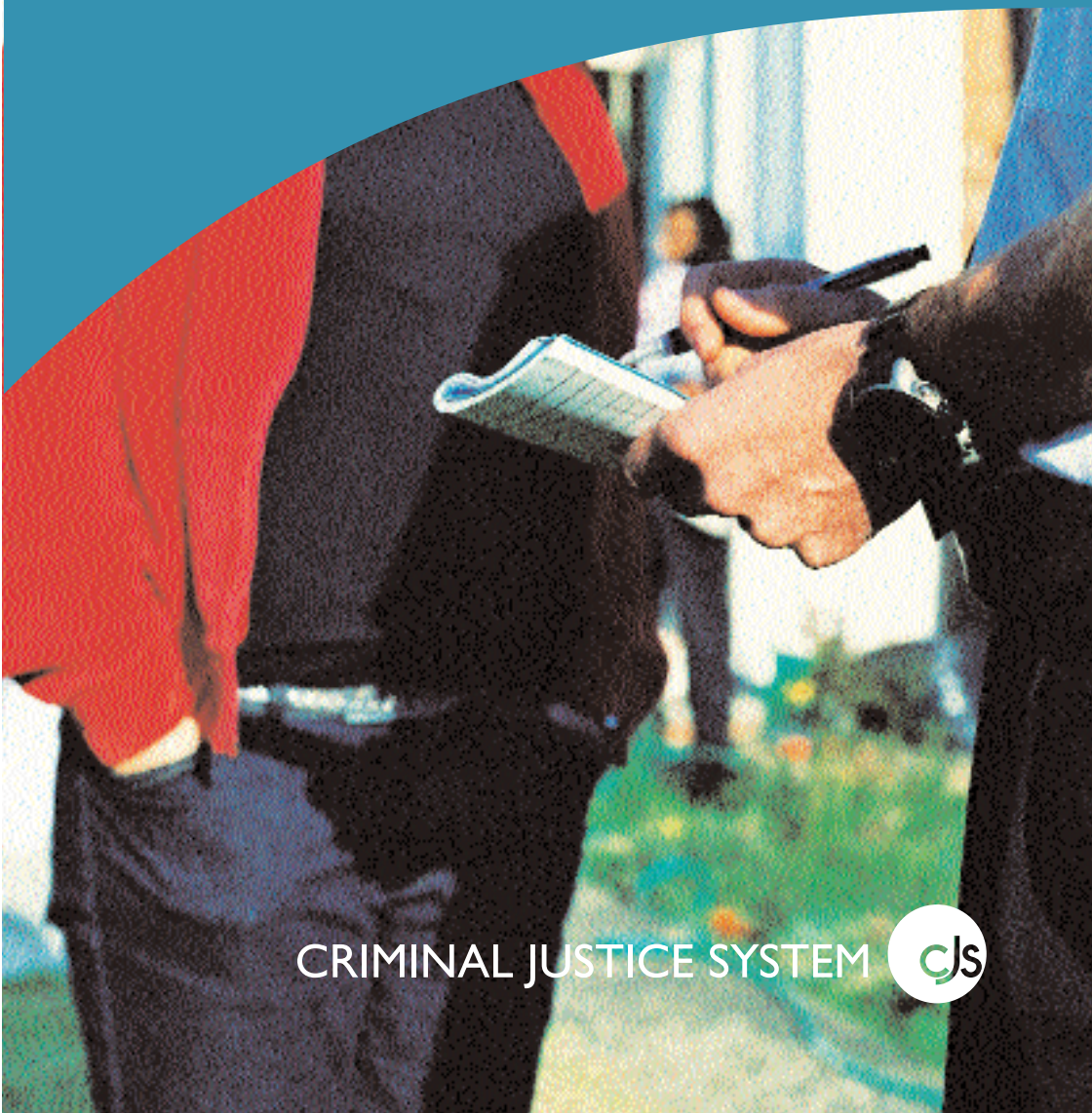


Giving a witness statement to the police – what happens next?



CRIMINAL JUSTICE SYSTEM



Thank you for coming forward. We value your help.

The criminal justice system cannot work without witnesses. They are the most important element in bringing offenders to justice.

Now you have made a statement, you may be asked to give evidence in court.



Is there anything else I can do?

Yes. It is important to tell the police:

- if you have left anything out of your statement or if it is incorrect;
- if your address or phone number changes (trials collapse every day because witnesses cannot be contacted in time); and
- dates when you may not be able to go to court. Please update this information as soon as it changes. This information is needed when the trial 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?

If a suspect is charged in relation to this incident, your statement and all the other evidence will be passed to the Crown Prosecution Service (CPS). The CPS is responsible for prosecuting people who have been charged with criminal offences in England and Wales. Although they work closely, the police and CPS are separate organisations.

Who will read my statement?

Everyone involved with the case will read your statement (for example the police, the CPS, the defence and the magistrates or judge).

What if someone tries to intimidate me?

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

Will I be told what is happening in the case?

The police and the CPS are improving procedures to keep victims and witnesses up to date with what is happening, but it is not always possible to do this in every case. Remember, you can contact the police at any time if you have any questions or concerns. Contact details are on page 9 of this leaflet.

You will be contacted if you are needed to go to court (but it may be some time after you gave your statement as cases take time to prepare).

Victims of crime are usually told:

- if a suspect is charged;
- about bail and what happens at court; and
- if the case does not proceed for any reason.

But witnesses (who are not victims of the crime) may not be contacted again if:

- the suspect admits the offence and is cautioned or pleads guilty at court;
- there is not enough evidence to prosecute the suspect; or
- no suspect is identified.

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 type of sentence 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. If you are asked to go to court, you will be sent:

- a letter telling you when and where to go; and
- an explanatory leaflet.

What will happen if I don't go to court?

If you have any problems or concerns about going to court, you must let the person who asked you to go to court know 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 by magistrates or a district judge in magistrates' courts. Jury trials for more serious crimes are held in the Crown Court.

Who can help?

Every court has a free and confidential Witness Service, run by Victim Support, and you can contact them before the trial. The Witness Service's trained volunteers can offer:

- information on what happens at court;
- emotional support and someone to talk to in confidence;
- someone to go into the courtroom with you when you give evidence; and
- a visit to the court centre before the trial and, where possible, a look around a courtroom so you know what to expect.

The Witness Service does not discuss evidence or give legal advice.

To find out about your local Witness Service, look in the phone book under the name of the magistrates' court or Crown Court. Or, you can phone 0845 30 30 900.

Extra help is available to support vulnerable or intimidated witnesses when they give evidence. If the CPS lawyer thinks that a witness qualifies for this extra help, known as 'special measures', he or she has to ask the magistrates or judge for permission to use them. The Witness Service volunteer, the police or the CPS will tell you what type of help is available and the police or CPS will be able to discuss what you need.

The officer dealing with your statement will fill in the following details.

Name of the officer dealing with your case or taking this statement

Rank

Police number or station

Contact phone number

Contact e-mail address

Case reference number

Keep these details somewhere safe.

The officer dealing with your case can help but may not always be immediately available. If you have any questions or concerns, you can also call the following number.

We will do everything possible to help you.

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 witness from www.cjsonline.org/witness. Visit www.cjsonline.org/victims for more information for victims of crime.

UK Online offers free or low-cost access to the internet in over 6,000 centres throughout the UK. Call 0800 77 1234 to find your nearest centre.

You can get this leaflet in Bengali, Cantonese, Gujarati, Punjabi, Hindi, Urdu, Somali, Vietnamese, Greek, Turkish and Arabic. You can also get this leaflet in large text, in Braille or on audiotape. Contact your local police station for details.



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BUILDING A SAFE, JUST
AND TOLERANT SOCIETY