



Updated: 20 January 2021

Providing evidence as a witness during the coronavirus outbreak

We want witnesses to feel safe and supported while providing evidence in a criminal trial. We know it can be a worrying time. We're taking extra measures to ensure the safety of witnesses during the coronavirus outbreak. We've developed this guidance so you know what to expect. We'll keep updating this over time, as Government guidelines change.

I am a victim of crime. How do I find out the support that's available for me in my local area?

If you do not already have access to support, use the [Victim and Witness Information website](#) to find support in your local area, including:

- emotional support
- counselling
- finding somewhere safe to stay
- finding someone to speak for you and get the help you need
- specialist support for crimes, including domestic abuse and sexual violence.

Is it safe to come to court during the coronavirus outbreak?

The courts have completed detailed risk assessments and put in place additional safety controls and monitoring in their buildings, to make sure people coming to court are safe. Public Health England and Public Health Wales have made sure these controls are OK.

All courts (have additional cleaning and social distancing measures in place and are COVID secure. When you attend court to provide evidence, you can help keep yourself and others safe by:

- following the Government's hands-face-space guidance at all times
- not arriving more than 30 minutes before the trial begins
- leaving promptly once you feel OK to do so after you have provided your evidence, and the judge or prosecutor have said you can go (very occasionally, you may be asked to go back in to court to answer additional questions)
- only bringing one person with you for support – such as a friend or family member. Note: professional supporters such as Intermediaries, Independent Domestic Violence Advisors (IDVAs) or Independent Sexual Advisors (ISVAs) may additionally attend.



I am worried about going to court. What support is available? (For witnesses living outside London)

Your Witness Care Officer (if you are a prosecution witness) or the defence solicitor (if you are a defence witness) will keep you up to date and explain what you need to do about things like transport and childcare, so that you can make plans. They can also guide you on the support that's available in your local area.

If you are a witness of crime living outside London, you can get free and independent support before the trial - and on the day of the trial - from the Citizens Advice Witness Service. Their trained volunteers can provide practical information about the court process, as well as emotional support to help witnesses feel more confident when giving evidence. They offer pre-trial and on the day support.

Your Witness Care Officer (if you are a prosecution witness) or the defence solicitor (if you are a defence witness) can refer you to the Witness Service, or you can [self-refer](#).

I am worried about going to court. What support is available? (For witnesses living in a London borough)

Your Witness Care Officer (if you are a prosecution witness) or the defence solicitor (if you are a defence witness) will keep you up to date and explain what you need to do about things like transport and childcare, so that you can plan ahead. They can also guide you on the support that's available in your local area.

If you are a witness of crime living in a London borough, you can get free and independent support:

- before the trial from Victim Support
- and on the day of the trial, from the Citizens Advice Witness Service.

Trained supporters from both these services can provide practical information about the court process, as well as emotional support to help witnesses feel more confident when giving evidence.

Your Witness Care Officer (if you are a prosecution witness) or the defence solicitor (if you are a defence witness) can refer you to Victim Support. Or you can self-refer by emailing LVWS@victimsupport.org.uk, calling 0808 168 9291, or using the live chat service at victimsupport.org.uk.



I am a victim of domestic abuse or sexual violence. Where can I get support?

Independent Domestic Violence Advisers (ISVAs) and Independent Sexual Violence Advisers (ISVAs) are trained specialists who provide services to victims of domestic abuse and sexual violence. Ask your Witness Care Officer for guidance on the support that's available in your area, if you do not already have this support. ISVAs and IDVAs can discuss your court appearance with your Witness Care Officer, if that's something that you'd like them to do.

You can find [specific information about how victim and witness support services are running](#) during coronavirus on GOV.UK.

I have been called to court to provide evidence, but I have symptoms of coronavirus, or I am self-isolating, or needing to shield because I am clinically extremely vulnerable. What should I do?

If you have coronavirus symptoms, you are self-isolating for any reason, or you need to shield because you are clinically extremely vulnerable, let your Witness Care Officer or the defence solicitor that warned you to attend court know as soon as possible. They will consider whether alternative arrangements can be made with the court, such as assessing whether you can provide evidence from home.

I have been called to court to provide evidence. Am I allowed to come to court if there are national lockdown or local restrictions in place?

Courts remain open during national lockdowns and local restrictions. If you are asked to attend a court or tribunal to participate in legal proceedings, this counts as an essential reason for travel. Your attendance is important. You may find it helpful to bring your hearing letter with you.

I have been called to court to provide evidence and live in an area where rapid testing is available. Should I have a test before coming to court?

If you live in an area where rapid (lateral flow device) COVID tests are being offered, you are encouraged to get a test before you come to a court or tribunal. This will support community efforts to help stop the spread of the virus.

You can check with your local authority if tests are available in your area.

If you choose to have a test and test positive, do not come to court. Let your Witness Care Officer or the defence solicitor that warned you to attend know as soon as possible. They will make alternative arrangements with the court. Follow [NHS advice](#).



I have been called to court to provide evidence, but I have children or caring responsibilities that will make it difficult for me to come. What should I do?

If you do not have anyone that can look after your children, you should let your Witness Care Officer or the defence solicitor that called you to court know as soon as possible. This is so alternative arrangements can be made with the court. This might be postponing (adjourning) your court date if other options are not suitable.

I have a disability and need help or support. How do I get this?

If you have a disability, you may need extra help to provide evidence. Tell your Witness Care Officer or the defence solicitor (if you are a defence witness) about the support that you need. They will make sure the court knows and can put in place the right support for you. Or [you can get in touch with the court yourself](#).

Is coming to court the only way to provide evidence?

The judge or magistrate is responsible for deciding how and where you will give your evidence. The expectation is that you will be asked to provide evidence in court, or from a remote link site. A remote link site is where witnesses, including defence and expert witnesses may give evidence via a live video link from a location away from a court building.

The judge will take your circumstances into account when deciding how you will provide evidence. For example, if you are shielding or self-isolating, or have child care or caring responsibilities due to COVID-19.

Exceptionally, you may be able to provide evidence from home via video or audio technology. Guidance and support will be provided to witnesses providing evidence from home via video or audio technology.

The prosecutor or the defence solicitor has asked the court for special measures to be put in place for me when I provide evidence. I am not sure what these are?

The police or Witness Care Unit or (if you are a defence witness) the defence solicitor will determine whether you are eligible and would benefit from giving evidence using special measures, considering your views.

Special measures can be put in place to help vulnerable and intimidated witnesses give their best evidence in court, relieving some of the stress associated with giving evidence. An individual may be considered vulnerable or intimidated due to their age or the alleged crime they are a witness for; or if they are vulnerable because of a disability, or they need extra support.



Common special measures include giving evidence from behind a screen/curtain so the defendant and court observers cannot see you, or giving evidence from outside the court via video-link.

Other special measures include giving evidence in private where the public gallery is cleared; removal of wigs and gowns worn by the judge, defence and prosecution advocates in the Crown Court; use of communication aids or being examined through an intermediary.

If you are a prosecution witness, the judge or magistrates will decide whether special measures should be granted following a request from the prosecutor. Your Witness Care Officer will tell you the court's decision.

If you are a defence witness, the defence solicitor will make the request for special measures and will tell you the court's decision.

Will special measures still be available during coronavirus?

Yes, court staff will make sure any special measures granted are available at court.

I am providing evidence remotely now, instead of coming to court. Will the defendant or court observers now be able see me?

If the court was going to provide a screen or curtain for you to provide evidence behind, then they will make alternative arrangements so the defendant and court observers will not see you.

Can I bring someone with me when I come to court?

Yes, but please just bring one person with you – such as a friend or family member. Space in waiting areas and the public gallery will be limited while the court observes social-distancing arrangements. If you come with more than one person, they may not be allowed to enter.

Some witnesses may additionally have specialist support – such as an Independent Domestic Violence Adviser (ISVA) or Independent Sexual Violence Adviser – available to support them on the day.

Can bereaved families still attend court?

If you are a bereaved family member in a homicide case, we recommend you get in touch with your Family Liaison Officer or Homicide Caseworker. They will check whether you are able to attend court. Due to social distancing arrangements, there may be a limit on the number of family members that can attend.



If you are a witness, your Family Liaison Officer or Homicide Caseworker will also ask the court to make sure practical and emotional support is available from Witness Service while you are in court.

If bereaved family members are unable to attend court - for example because they are shielding, unwell, self-isolating, or there is a limit on numbers due to coronavirus - alternative arrangements may be possible.

Will I need to wear a face covering in the court building?

Yes. You must wear face coverings in all parts of our buildings in England and Wales, unless you have a practical reason – exemption - not to. You can ask a member of staff for a face covering if you need one, though we prefer that you bring their own.

Examples of practical reasons – exemptions - for an individual to not wear a face covering include:

- having a disability or health issue that makes it difficult
- wearing one will cause severe distress
- a deaf person they support needs to read their lips
- they are eating, drinking or taking medicine.

Children under the age of 11 (in England and Wales) do not need to wear a face covering.

If you have a reason why you cannot wear a face covering, you may find it helpful to wear a lanyard with an exemption card, or to carry an exemption card with you.

Exemption cards are available to download on [GOV.UK](https://www.gov.uk). Or see our [HMCTS example exemption card](#), or resources published by the [Survivors Trust](#) for individuals with severe or trauma related stress.

You may be asked to temporarily remove your face covering for identification purposes. If you are presenting evidence in the courtroom, the judge or magistrate may also ask you to take your face covering off temporarily.

If you need to communicate with someone who relies on lip reading, facial expressions and clear sound, they may ask you to take your face covering off.

See [Government advice on face coverings \(England\)](#) and [Face coverings: guidance for public \(Wales\)](#).



I have heard that I will need to go through security when I arrive in court. What sort of checks will be carried out?

There are certain things that you cannot bring to court - for example, anything that might be used as a weapon. There's guidance on [what you can and cannot bring](#) on GOV.UK. Security officers will check your bags when you arrive in court and make sure you're not carrying anything that's not allowed. It's a bit like going through security at an airport.

Is it OK for me to bring hand sanitiser?

Yes, it's a good idea to bring hand sanitiser with you. Security officers will ask you to use it to make sure it's not harmful.

Will I be able to wash my hands while I am in the court building?

Yes, you'll be shown where the restrooms are on arrival and will have a chance to wash your hands. We will also provide facilities for hand washing during hearings.

The courts will also provide hand sanitiser inside the courtroom or in other places where it may be tricky to wash your hands. You may like to bring your own hand sanitiser with you.

How will I swear an oath or make an affirmation in court?

The usher will read out the oath and ask you to repeat the words after them. The relevant Holy book will be placed in front of you, but you will not need to touch the book.

Affirmations bear equal solemnity, significance and responsibilities of a religious oath. If you prefer to affirm, the usher will read out the affirmation and ask you to repeat the words after them.

Will food and drink be available in the court building?

Not all our cafes and canteens will be open.

You should bring enough food and bottled water with you for your visit. You may be asked to take a drink from your water bottle while going through security to make sure it's not harmful. Do not bring metal cutlery. You'll be able to take bottled water into the courtroom with you.

Water dispensers and food and drink vending machines may still be in use in certain buildings. These will be cleaned frequently, but you should wash your hands after use.



What support is available after I've given evidence, or at the end of the trial?

You can continue to access support from your local victim service for as long as you need it. You can speak to your Witness Care Officer, defence solicitor, or the Citizens Advice Witness Service about getting further support after your court appearance, or you can contact your local victim service direct.