

# WITNESS ASSISTANCE SERVICE



## Attending Court to give Evidence

When an offence occurs the Police investigate the matter and obtain witness statements as evidence about what happened.

If you have any further questions or would like more information, please contact the Witness Assistance Service on 1800 659 449 or email us on [AGDDPPWitness.AssistanceService@nt.gov.au](mailto:AGDDPPWitness.AssistanceService@nt.gov.au)

### What should I do when I have to attend Court as a Witness?

When an offence occurs the Police investigate the matter and obtain witness statements as evidence about what happened. Witnesses will only be called to give evidence at Court where the accused is contesting the charges against them, i.e. they are pleading not guilty or disagree with some of the information involved in the charge.

If you are a witness that is required to give evidence at Court in a criminal matter you will be served a Summons or Subpoena by the Police telling you that you have to come to Court on a certain day. When this happens you must attend Court or the Court can issue a warrant for your arrest.

There are a number of actions you should take in preparing to come to Court, including:

- Contacting the Witness Assistance Service (WAS) or the Prosecutor to see if they want to meet with you before Court;
- Advise your employer that you have to be absent from work. If you lose any wages by having to come to Court, speak to a WAS officer about applying to be reimbursed for this;
- Make arrangements for child care if required. You may be at Court for a lengthy period

and there are no babysitting facilities available at the Court;

- Ask the WAS Officer to book an interpreter for you if you think you will need one to help you in Court;
- Tell the Prosecutor or WAS Officer if you have any concerns for your safety in attending Court or think you should be considered to be a Vulnerable Witness;
- Consider your transport options, you may be at Court for a lengthy period and will need to park any vehicle where you will not get fined or attracted large parking fees.
- If you have any health issues that may impact your participation at Court, inform the Prosecutor or WAS Officer, e.g. do you have hearing difficulties or do you have renal dialysis scheduled that day?
- Get a good night's sleep and ensure that you do not consume any intoxicating substances that could affect you at Court.

### What do I do when I get to court?

When you arrive at Court you need to let the Prosecutor know that you are there. Ask at the front desk where to find them if you are not sure. Try to arrive early so the Prosecutor has an opportunity to talk to you before Court starts.



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## **What should I wear and bring with me?**

Attending Court is a formal situation and it is expected that anyone coming into Court will be appropriately dressed in neat, clean clothing with shoes. It would be inappropriate to attend Court without a shirt or bare foot or wearing clothing that displays rude slogans or pictures.

As you may be at Court all day, you should think about bringing some food, especially if you are diabetic, water and reading or similar materials with you to keep entertained with while waiting to be called into Court. Until you are called you need to remain at Court, except during the formal lunch break, and will not be able to go away to buy anything not available at the Court House.

## **What happens when I'm called into court?**

When the Court is ready to hear your evidence, your name will be called out by the Court Orderly. You need to follow them into the

Court room. As you enter and leave the Court you need to nod or bow slightly to the Judge or Magistrate. You must take off any headwear or sunglasses before entering and turn off your mobile phone.

You will be shown to the witness box and the Judge or Magistrate will ask you whether you want to make an Oath on the bible or a Promise to tell the truth to the Court. Once you have done this you can sit down and the Prosecutor will start to ask you questions. If you become upset or need to go to the toilet during questioning, you can ask for a break. It is up to the Judge or Magistrate if they will allow this.

Once you have completed giving your evidence you will be excused and can then leave the Court. You do not need to remain at the Court House after this. The case may continue to be heard so the Prosecutor may not be able to talk to you straight away and may contact you later.

