



Giving a witness statement to the Police and what happens next?





Information for Victims/Witnesses of Crime

Thank you for coming forward to give a statement. We value your help with this investigation. The Criminal Justice System cannot work effectively without witnesses in helping to bring offenders to justice. Once you have made a statement you may be asked to give evidence in court.

If you are a victim or witness of a crime, the Police will ask you to explain what you saw, either in writing or on a video recording - this is your witness statement. The Police will ask you to sign this to say it is true, this will include a declaration on the front page of the statement. Do not feel pressured to do anything you do not want to, you should do what feels right. We will try to arrange a convenient time and place for you to give your statement. It could be at a Police Station, your home or at work. Before you make your statement, the Police will ask some questions to assess any needs you may have to identify any help you may require giving evidence during the investigation or in court, this is known as 'special measures'.

People involved with the case - for example lawyers or the judge, will read your witness statement, or watch your video. The statement may also be used as evidence in court. The Police Officer who takes your statement will give you the name and contact details of the officer in charge of the case. You can contact them if you have any questions. Make sure you tell the Police Officer who takes your statement if there are any dates you will not be able to go to court to give evidence - for example if you have a hospital appointment.

You will be contacted if you are required to go to court to give evidence - this can take some time. This is because court cases can take a long time to prepare.

If you have difficulty understanding or speaking English, you can ask for an interpreter. You can also ask for the translation of any documents you need to read in court or to add to your statement.



What happens when you report a crime?

When you make a statement, the person taking it will:

- explain why you need to make a statement
- ask if you need help to make the statement
- let you read it to check that it is correct, or ask someone else to read your statement back to you
- change anything you are not happy with
- ask if there is any other information you want to include
- ask you to sign your statement
- complete an assessment relating to special measures if required
- in the case of a youth, the statement will be taken in the presence of a parent, or an appropriate adult



What will happen to my statement and who will read it?

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 with the Police, they are separate organisations.

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

Your personal details are 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.



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 can collapse because witnesses cannot be contacted in time)
- 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 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 if you have any questions or concerns. Contact details are on page 8 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).

The Witness Care Unit will contact you – (usually in writing), following the First Hearing at Magistrates Court. They will keep you updated with the progress of the case until it is concluded.

They will also inform you of any appeals following a conviction/sentence the defendant may make.

Victims of crime are told:

- If a suspect is charged.
- About bail and what happens at court
- 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
- 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'
- 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 at court on the day you are giving evidence.

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
- an explanatory leaflet



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?

Victims and witnesses can ask the Witness Care Unit for any help they need going to court, e.g. with childcare or transport. Telephone 0300 124 0113, extension 60081 or email WCUKendal@cumbria.police.uk. They can also provide information about the expenses associated with going to court, about reviewing statements and about the help and support that is available at court by the witness service.

The Witness Service provides free, confidential, and independent support, information and practical help to all victims & witnesses attending trials and hearings in England and Wales, to support them to give their best evidence.

The Witness Service can offer:

- Information on what happens at court
- Emotional support and someone to talk to in confidence
- Pretrial visits (either face-to-face, by phone or by video call) so that you can look around a courtroom, so you know what to expect
- Support on the day of trial and someone to go into the courtroom with you when you give evidence

The Witness Service can also offer an enhanced outreach service as for some witnesses, their experiences can significantly impact their day to day lives. This will include a tailored one to one plan of preparation and support.

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



Contacting the Witness Service

You can click here to - [find out more about the Witness Service](#), alternatively if you would like some support, please fill out the [online referral form](#) or call the Witness Service Referral Hub on 0300 332 1000.

Extra help is available to support vulnerable or intimidated witnesses when they give evidence.

The CPS will make an application to the magistrates or judge for permission to use them. The Witness Service volunteer, Witness Care Unit, the Police, or the CPS will tell you what type of help is available, and the Witness Care Unit the Police or CPS will be able to discuss what you need.

If you are worried about giving evidence, you should tell the Police how you feel. You might be able to get extra help in court - [click here to check if you can get extra help](#).





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.



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 are required 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.

The Officer dealing with your statement will fill in the following details:

Name of the Officer dealing with the case:

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.
We will do everything possible to help you.**



VICTIM PERSONAL STATEMENT (VPS)

A VPS is a statement that victims can give to the Police (or any agency/organisation assigned by the Police to take the VPS on their behalf) if they have been a victim of crime.

It is the victim's way of telling the criminal justice system about the physical, emotional, psychological, financial impact of the crime. A VPS is important; it gives victims a voice in the Criminal Justice process and helps others to understand how the crime has affected them.

A VPS is different from a witness statement which mainly focuses on the crime and what happened. Questions may be asked at court about the content of your VPS and can be reported on by the media.

IMPACT STATEMENT FOR BUSINESS (ISB)

The Impact Statement for Business (ISB) gives you the opportunity to say what impact that a crime has had on the business.

Your VPS can be read out in court by the CPS. You can also give evidence of your VPS in person in court if you so wish.

For more detailed information please visit - [Making a Victim Personal Statement](#)

