

DOCUMENTING WITNESS STATEMENTS

A Step-by-Step Guide

WITNESS STATEMENT V WITNESS SUMMARY

- Witness statement belongs to the witness – beware inconsistencies
- Witness Summary belongs to investigator - can record information to help an investigator in the future

STEP 1 CONTACTING THE WITNESS

- Keep a clear record of all interactions with the witness
- Inquire whether the witness has a preferred method of communication
- Ask whether an interpreter is needed
- Establish whether the witness has already been interviewed by another organisation
- Ensure that you do not promise benefits to the witness
- Explain to the witness that their consent may be withdrawn any time during the interview process
- Explain to the witness how their statement may be used and the possible consequences of giving a statement: ultimately it may be passed on to relevant authorities

STEP 2

CONDUCTING AN INTERVIEW

- Emphasise throughout that all you expect from the witness is that they tell the truth
- You are not there to seek particular information or to coach them
- Ensure that you get their informed consent
- Ensure that details of the witness' account are recorded properly, including locations, dates and times
- Consider using an audio recorder to record the interview (with the consent of the witness)
- Consider asking the witness to sketch any locations onto a separate piece of paper which should be handled as physical information
- If the witness provides any documentary physical or digital information ensure that it is identified and described by the witness during the interview.
- Take evidence as soon after the event as possible.
- Let a witness lead you through their story....
- Ask open ended questions:
 1. What? (e.g what happened? what is the source?)
 2. Who? (e.g who was involved? Who did what?)
 3. How? (e.g how did that happen? How does the person know that?)
 4. Where? (e.g where did this take place? Where is this information from?)
 5. When? (When did this happen? When was this information obtained?)
 6. Why? (Why does the person believe that?)

IDENTIFICATION

STORY



THOROUGHNESS

ETHICS

STEP 3

WRITING THE WITNESS STATEMENT

- A chronological sequence of events
- Identification details of all perpetrators
- A comprehensive description of all the crimes witnessed
- A description of the scene of the crime
- Actual words spoken by the suspects and by other people in the presence of the suspect
- The ability of the witness to see or hear the things
- Information learnt from other people, which should be separated from what the witness saw or heard or knew him or herself
- The witness statement should be written in the first person, i.e., “I saw...” or “I did...”.

Once the statement is complete:

- Allow the witness to read and review the written statement in a language he/she understands and to confirm the content
- If the statement is written in a language the witness does not understand, have an interpreter read it to the witness
- If the witness disagrees with any information found therein, redraft that part of the statement in line with the witness’s clarifications
- Ensure statement is signed by witness and investigator
 - Note down anyone else present
 - Record date and time