

HOW TO WRITE A WITNESS STATEMENT

Firstly, time is of the essence. Do it as soon as you can, ideally the same day, even if it is just notes you will come back to the next day.

It needs to be factual and objective in tone. It is not useful to speculate... “he looked like he wanted to hit me... or ... “they were obviously itching for a fight”.

What should I do first?

As soon as possible after the incident, you should write down everything that happened. You should try to include:

- The names of the police officers involved and their badge numbers.
- What happened to you, including what was said.
- The date and time when it happened.
- Where it happened.
- Any witnesses to what happened including their names and contact details.

If you have been hurt:

- See a doctor straight away - you may need to get a medical report.
- Get someone to take a photograph of your injuries.
- Write down as much as you can about who hurt you including their name, badge number, rank and the police station where they work.
- Write down the name of the last person to see you before you were hurt and the first person to see you afterwards. Ask them to write their own notes as soon as possible ([Legal Aid](#))

If you don't have time to get people to write things down you can do a brief interview with people

- If you have footage of police violence, back it up asap, get it onto the cloud or email it to someone to ensure it can't be lost, if the police take your camera

WHAT TO CAPTURE

- Times, dates, locations
- Badge numbers, names and physical descriptors of police if they are not wearing badges
- A rough timeline/story of what happened

le: At 9:50am I was standing on the left hand side of the entrance gate to XX premises. Officer XXX came up to me and said “you aren't allowed to be here” and pushed me back. He pushed me in the chest area. I lost my footing and fell back approximately two metres. I hit my head which caused an injury on my left cheek.

I was then grabbed by two police whose badges I couldn't see, and one pinned me to the ground with their right knee. I was lying face down... etc etc

After visiting the doctor, they told me my cheekbone was broken from the impact. Medical report is attached.

These people witnessed the event, and are willing to give statements:

My friend gave the police a Pepsi and he apologised, saying, "I'm sorry, now I understand what I have done."

TONE

- Whilst it is understandable to be emotional, it is best to be as objective as possible.
- Try and explain what happened in a factual way, but it is useful to "paint a picture" ... see the reference below
- *ie: Describe by reference to the sight, sound, and action*

- Each event is part of the witness' personal experience. The description of the event should be what the witness saw, said, heard, or did. When another person forms part of the experience of the witness then the description of the event should refer to what that other was heard to say or seen to do.

- A witness statement that is prepared in this way becomes a written version of what otherwise might be imagined to be a script for a film of the described events. If an event cannot be imagined as image or sound then it is likely that the witness statement is not in the correct form.

Keep the statement in a secure location. If you want this to form the basis of a complaint against police you may wish to only share it with a legal practitioner so your records maintain legal privilege. (are protected and kept confidential)

More information here:

<https://hancy.net/resources/drafting-a-statement/>

<http://www.activistrights.org.au/handbook/ch02s11s13.php>

This form adapted from the excellent [Green and Black cross collective](#) in the UK.

	Witness Statement Form	
	Please write legibly and use one form per incident .	

1	What happened?	When/Where did it happen?
		Date/Time:

Is your account mainly about: - an arrest - excessive police force - police abuse of search powers - other _____	Location:
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2 About you		
First name:	Last name:	Are you under 18? Yes / No
Two of the following contact details: Phone / Address / Email: 1. 2.		
Did this incident happen to you ? Yes / No If so, are you eligible for legal aid? Yes / No / Don't know		We will keep your statement confidential, but can we share your contact details with other defendants and/or solicitors? Yes / No

3 Who else was present? <i>Give name / contact details / a description of witnesses</i>		
Did anyone else see the incident?	Did anyone take pictures / video?	Did a Legal Observer see the incident?

4 Your statement – a full description of what happened	
Use the other side to give a detailed account of what happened. Check you have covered: <ul style="list-style-type: none"> • Who was involved (police numbers, name/descriptions of activists) • When it happened (give approx times as you go) • Where it happened (be precise – draw a plan if necessary) and Where you were standing in relation to the incident (did you have a clear line of sight)? • What happened, in full. Please sign and date the statement at the bottom. <i>This makes it better evidence.</i>	

4

Your statement – a full description of what happened (cont.)