

# special witness status

In certain circumstances, the ODPP is able to apply to the court to have a victim or witness treated as a special witness. This will allow you to give evidence by one of the following ways:

- Pre-recorded before trial (the recording is then played at trial meaning you do not have to attend in person);
- On the day of the trial from a remote room via CCTV (Closed Circuit Television); or
- On the day of the trial in court, but from behind privacy screens.

Contact the Prosecutor or Paralegal assigned to your case for further information.

# further information

If you do not understand any of the words used in this brochure please refer to the glossary contained in your copy of our 'About the ODPP' brochure.

If you would like this in an alternative format, such as an audio file, Braille or larger print version, contact the Paralegal assigned to your case and a copy will be made available to you.

## How to contact us

Our contact details are as follows:



OFFICE OF THE DIRECTOR  
OF PUBLIC PROSECUTIONS  
FOR WESTERN AUSTRALIA

Level 1  
International House  
26 St Georges Terrace  
PERTH WA 6000  
Telephone: (08) 9425 3999  
Facsimile: (08) 9425 3600  
**Freecall: 1800 264 144**

Email: [dpp@dpp.wa.gov.au](mailto:dpp@dpp.wa.gov.au)  
Website: [www.dpp.wa.gov.au](http://www.dpp.wa.gov.au)

## claims for expenses

If you are summonsed to attend court you will be given information on when and where to attend. If you incur expenses attending court you may be eligible to claim them. You must check with the Paralegal assigned to your case if you can be reimbursed before incurring an expense. It is important you keep all your receipts to attach to your claim form.

If the trial is not taking place at your local court, please contact the Paralegal assigned to your case. He or she will make arrangements for any long distance travel and accommodation on your behalf. All arrangements for travel must be made by the Paralegal and the costs will be covered by this office.

For further information on claiming witness expenses refer to the Guidance Notes for Submitting a Claim for Witness Fees and Expenses provided with your summons. If you have not been provided one with your summons please contact the Paralegal assigned to your case.



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# witness information

# the prosecution process and the ODPP

The Office of the Director of Public Prosecutions for Western Australia (ODPP) prosecutes all state criminal prosecutions in the District and Supreme Courts of Western Australia.

The case you are a witness in, is assigned to a Prosecutor and a Paralegal. The Prosecutor will prepare and represent the State's case in court. The Paralegal will help the Prosecutor maintain current witness contact information and help you with arrangements to attend court. If your circumstances alter – for example you change address - you must contact the Paralegal assigned to your case and provide your new contact details.



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## the prosecution process and you

As a witness to a crime you play an important role in the prosecution process by providing evidence to help the prosecution case against the accused.

Before you attend court to give evidence the Prosecutor will, in most cases, talk to you about what is required from you. If the Prosecutor has not made specific arrangements to meet you at court on the day of trial, please ask court staff to direct you to the court you will be attending and wait to be seen by the Prosecutor.

Remember to bring your summons with you so the court staff can direct you to the right place.

## attending court

Witnesses are required to wait outside the courtroom before giving evidence. The ODPP appreciates your time is valuable and every effort will be made to ensure you are called into court and released as soon as possible.

Courts usually sit between 10 am and 4 pm with lunch usually between 1 and 2 pm.

When it is your turn to give evidence your name will be called and you will be shown into the courtroom and to the witness box. You should remain standing and a Court officer will ask you to read aloud an oath and ask you to swear on the Bible (or make an affirmation if you hold different beliefs) to tell the truth. You will then be asked to sit down.

The Prosecutor will then ask you questions. You will be asked to give your name, address and occupation. If you do not wish to give your address in court, tell the Prosecutor beforehand. You will then be asked questions about the case.

Once the Prosecutor has finished asking you questions, the lawyer for the accused will then ask you more questions. This is called cross examination. The Judge hearing the case may also ask you questions about your evidence.

## giving evidence

When you give your evidence in court:

- Consider each question carefully;
- If you do not understand the question, please say so;
- Take your time and give a complete answer;
- Do not guess. If you do not know or cannot remember, say so;
- Do not say what someone else has told you unless you are asked;
- Speak clearly so that your evidence is clear and understandable. The microphone provided in the court is to record your voice, it does not make it louder; and
- If you feel that you need a break, please tell the Judge or the Prosecutor.

In some circumstances arrangements may be made for witnesses who live abroad, interstate or in remote locations to give evidence by video link. If you would like to discuss the possibility of giving evidence by video link, please contact the Paralegal assigned to your case.

Once you have given your evidence and have been excused by the Court, you are free to leave. Do not discuss your evidence or the case with any other witnesses at any stage. You must collect a witness advice slip from the Prosecutor at this point to verify your attendance so that claims for expenses can be paid to you.

If you have any concerns about your safety when attending court, or at any other time throughout the prosecution process, you should immediately contact the Police Investigating Officer or the Prosecutor assigned to your case.