

## ✔ Checklist: Instructions for preparing witness statements – car

### accidents

This page is a guide to help you prepare a witness statement. It is important to complete your statement using your own details and based on your own circumstances. If you need more help, you should get legal advice.

Witness statements should be prepared by people who saw or heard something related to the car accident. If you are asking a person to prepare a witness statement for you, you can print off these instructions and give it to them to help them complete their statement.

For an example of a completed statement, see the *Car accidents sample witness statement*.

### Witness statements

#### ✔ Layout and headings:

- Use white A4 paper
- Type if possible or use neat, clear handwriting in black or blue pen
- Use only one side of the paper
- If the matter is already in Court, write the case name, Court and case number on the top of the page.

#### ✔ It is important that the witness statement:

- states the full name, address and occupation of the witness
- is in short, numbered paragraph

<input type="checkbox"/>	refers to all the relevant events, people, places and dates in a logical way
<input type="checkbox"/>	includes details of what the witness saw, heard, said and did
<input type="checkbox"/>	is written by the witness using their own words.
<input checked="" type="checkbox"/>	The witness statement should also include the following:
<input type="checkbox"/>	date and time that the accident happened
<input type="checkbox"/>	location of the accident, including street name, suburb/town/locality, nearest cross street or landmark
<input type="checkbox"/>	colour, make and model of each vehicle involved in the accident, including the number plates
<input type="checkbox"/>	who was driving each vehicle, if known
<input type="checkbox"/>	how the accident happened (what the witness saw)
<input type="checkbox"/>	what the street lighting was like (if the accident happened at night)
<input type="checkbox"/>	the traffic conditions (lots of traffic, light traffic)
<input type="checkbox"/>	the speed limit on that road
<input type="checkbox"/>	the estimated speed the cars were travelling
<input type="checkbox"/>	what the weather was like (raining, just finished raining, sunny, dark)
<input type="checkbox"/>	any conversations the witness had with any of the drivers
<input type="checkbox"/>	anything the witness thinks may have caused the crash
<input type="checkbox"/>	description of any damage observed
<input type="checkbox"/>	any other relevant details.

A witness should finish their statement with:

- a sentence like "I believe that the contents of this statement are true and correct"
- a signature
- the date they signed it.

### **Tips**

If the statement includes a conversation it should be set out in speech marks as accurately as possible. If the witness can't remember exactly what was said, they can say "words to the effect of". For example, I walked over to the driver of the silver car and said "Are you okay?". He said words to the effect of "No the green Rav4 just reversed into my car".