

Checklist: Writing a statement

You can print this checklist as it may help you when you need to write a statement. This checklist relates specifically to statements. For tips on writing skills and things to think about when writing any type of legal document, see [Checklist - Writing](#).

Tick on each box as you go.

Writing a statement

Should I make a statement?

- A statement can be made by anyone involved in a court case, including a:
- plaintiff or applicant
 - defendant or respondent
 - witness.

The type of case and any orders that may have been made by the court will affect whether you should make a statement. Witnesses who make statements will often be required to give evidence in court. If you are not sure if you need to make a statement, you should get legal advice.

What should be in the statement?

- A statement should contain:
- the details of the case it is being used in, including the names of parties, court location and court case number
 - the name, address and occupation of the person making the statement
 - the evidence being given by the person making the statement.

How should the evidence be written?

- When you write a statement, you should:

- only write things you know about (not necessarily what you heard someone say)
- write conversations in the first person (for example, I said "I'll take it", or she said "I'll send it right over")
- only include information that is relevant
- number every page.

The last paragraph should say something like:

"I believe that the contents of this statement are true and correct" or "This statement sets out evidence which I am prepared to give in court as a witness".

Include any annexures?

- If you want to include any documents as part of your statement, you can attach them to the back as an annexure.
- Make sure that you give a brief description of what you are attaching in the text of your statement. For example, "on 29 December 2009, I received an email from Mr Lennison. Annexed and marked 'A' is a copy of that email".
- Each annexure must be identified, for example by letters "A", followed by "B" etc.
- The first page of each annexure should be signed by the witness.
- The witness should also sign the annexure, they can also include a statement on the annexure that
"This is the document referred to as Annexure [insert annexure letter] in the statement of [insert name of deponent], made on [insert the date the statement was made]."

Sign the statement

- Although a statement does not always need to be witnessed, it is a good idea to get a solicitor or Justice of the Peace (JP) to witness your signature.
- You and your witness should sign the bottom of each page of the witness statement.

Keep a copy

- Make sure you keep a copy of your signed witnessed statement for your records.

File and serve

- You should serve (formally give the other party) statements by the date ordered by the court.
- Any annexures should be attached to and served with the statement.
- Statements are not always filed with the court. You should check the court's orders before filing any statements.