

Giving Evidence Remotely – Knowledge Test Answers

1. You have not given evidence remotely before and want to set you the room appropriately.

What should you do:

- A. Build a witness box based on photographs of real courtrooms
- B. Build a mini witness box out of cardboard boxes put on top of a table
- C. Sit behind a well lit desk or table
- D. Just sit on a chair

ANSWER: C

Dress as if you were going to court. Make sure that the background behind you is clear, uncluttered and not distracting as clear walls are better than walls with pictures, photos, ornaments etc. Do not have a window in the background as you will be a silhouette.

2. You are setting up the camera on your device. You know the judge needs to see your demeanour as a witness.

What should the camera show:

- A. Your whole body standing
- B. Your head and shoulders whilst sitting
- C. Just your head
- D. A close up of your face

ANSWER: B

Have the camera at eye level, as you sit down at your desk or table and don't set the camera so that you are looking down at the camera or have the camera looking up at you. The image needs to be clear and well-lit so the judge can see your demeanour. Set the image up before you start your evidence.

3. The judge opens the proceedings.

What should you do:

- A. Stand up and bow
- B. Stand up straight
- C. Remain seated and bow
- D. Remain seated

ANSWER: D

There is no need to stand during a remote hearing.

4. The judge asks if you wish to swear or affirm. You wish to take the oath but you have no Bible.

What should you do:

- A. Use a large book but wrapped in plain paper with the word "Bible" written on it.
- B. You don't need a bible so just place your right hand on your chest and say the oath.
- C. You don't need a bible just repeat the words of the oath as directed or say "I do" when asked.
- D. Say you will take the affirmation instead as you have no Bible.

ANSWER: C

The Judge will assist you in how to take the oath of affirmation and no holy book is needed.

5. You have started your evidence but the doorbell rings. You suspect it's an Amazon delivery.

What should you do:

- A. Put your device so as to mute the video and sound and answer the door as quickly as you can
- B. Quickly run to the door pretending the internet connection is faulty
- C. Ask the judge for permission to answer the door
- D. Ignore the interruption as you would have put up an appropriate sign on the door before starting your evidence

ANSWER: D

You must anticipate interruptions and plan how they can be dealt with before the hearing.

6. The judge adjourns the hearing at 1 pm for lunch and you are in the middle of your evidence.

What should you do:

- A. Stay in place in front on the camera and wait till 2 pm
- B. Have lunch with your partner
- C. Have lunch with your partner and talk about how you could improve you evidence giving after lunch
- D. Have lunch alone and speak to no one.

ANSWER: D

As with giving evidence in a physical court, the safest option is to stay alone and speak with no one so there can be no suggestion your evidence has been tampered with.

7. You want to see how you can improve your evidence giving.

What should you do:

- A. Press record on your device when you start your evidence
- B. Ask the judge if you can record your evidence
- C. Practice giving your evidence with a friend before the hearing
- D. Have a mirror behind the camera to see how you are doing

ANSWER: B

As in a normal hearing, recording of a trial is not permitted without the permission of the judge. Justice must be seen to be done so the public can watch a hearing and the court will make its own recording. It's unlikely the judge would give permission for you to record your evidence, but you mustn't without permission. You could record a training session with Bond Solon.

8. Counsel asks a question that could make you liable in some way.

What should you do:

- A. Plead the Fifth Amendment
- B. Say “ Beam me up Scottie”
- C. Ask the Judge for direction
- D. Stare at the camera

ANSWER: C

As in a normal hearing, a witness can always ask the judge for direction.

9. You are nervous about giving evidence.

What should you do:

- A. Have a friend sit behind the camera to encourage you
- B. Have vodka in what appears to be a water glass
- C. Prepare carefully before the hearing
- D. E mail the court to say you are ill

ANSWER: C

As the military say “Train hard. Fight easy.” Preparation is the key to any evidence giving.

10. You are worried you may forget things.

What should you do:

- A. Put large posters behind the camera with the key points of your evidence
- B. Have a second screen which only you can see with useful reminders to help the court
- C. Refer to the documents in the court bundle of documents
- D. Hide some notes in paperwork in front of you

ANSWER: C

You may only use documents before the court. Fortunately, you will be able to see all of these as you give your evidence and the bundle may be smaller than had there been a traditional hearing.