

Witness statement Guidance

This is a guide only it is not legal advice, and the Family Procedure Rules must be followed.

There are some important formalities which help the court and judge understand who the statement is from and which case it relates to.

Try to include the following information:

- Name of the Court (you will enter the name of the Court in the “In the Family Court at []” part below)
- Case Number
- Names of the people involved in the case
- Who is writing the witness statement and the date

Those parts go at the top of the statement.

The witness statement then needs to set out the name and address of the person giving the witness statement. For example:

1. This is the first witness statement of XY, the mother of BCD, the child, and my address is 1, The Crescent, Othertown, NE95 8PP.

Everyone in the case will see this witness statement so if you wish to keep your address confidential, you must refer to your address as a “confidential address”. Even though the other parties might not see a confidential address, the Court will always know it.

A witness statement should have numbered paragraphs. Try to deal with one point or event per paragraph.

A good way of structuring a witness statement for a finding of fact is to have headings for each allegation in the Scott Schedule e.g. Allegation 1 (and then give details).

Try to explain what has happened in as much detail as will help the court not too much and not too little. It is rare that very long witness statements are helpful.

Try to give the date of each event or at least as accurately as you can. If you cannot remember the exact date, try to think about using a month, memorable time or season to make the statement as accurate as possible.

Be as specific as you can. Set out what happened, how this affected you or the child(ren) and whether there is another witness who saw what happened. For example:

XY started to shout and punch the walls. XY then told me to shut up. I said that I would not and s/he slapped me hard across the right side of my face. XY then left the house. I called my friend and s/he took me to the walk in centre. I had bruises which lasted for days and I felt really upset and frightened.

Think about whether there may be other evidence in support. This can include but not be limited to:

- Police records
- social media posts
- GP records
- Bank statements.
- School reports
- Social worker documents
- Texts
- Emails

If there are documents you wish to bring to court, they must be attached to the witness statement. When you are referring to the document in your statement, you might want to say something like: “*I attach as Exhibit 1 a copy of the bank statement showing the outgoings that month*”. Each exhibit must be numbered and attached to the end of your statement with a heading “Exhibit 1” and so on.

The statement must be signed by a statement of truth. This is:

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

The statement is signed by the person making it and dated on the day it is signed. This is to confirm that what you have said in your statement is true and that you understand that there may be a penalty for a false statement.

If you want someone to give evidence about your case, you will need permission from the court. Every person who you wish to give evidence must produce a witness statement, signed by a statement of truth. The witness should also be willing to come and give evidence at court.

All witness statements must be sent to the court and to all the other parties in the case by the date stated on the order.

If you apply the above, your statement should look something like this (a WORD template of the below can be found on the website at www.clevelanddfj.co.uk):

IN THE FAMILY COURT AT MIDDLESBROUGH

CASE NO: MB2XXXXXXX

B E T W E E N

Joe Smith

Applicant

-and-

Jane Smith

Respondent

STATEMENT OF [XXXXXX] DATED [XXXXX]

1. This is the first witness statement of XY, the mother of BCD, the child, and my address is 1, The Road, Big Town, TS99 8ZZ.

[Allegation 1]

2. On the 6th July 2025 I was.....
3.

[Allegation 2]

4.
5. I then sent a text message to him at 9.06pm. I attach as **Exhibit 1** a copy of the text that I sent at that time.
6.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:

Dated:

EXHIBIT 1

What time you coming around?

I said stop calling

Leave me alone

What?! I am coming around NOW