

Giving a Witness Statement to Trading Standards - What Happens Next?

The criminal justice system cannot work without witnesses. They are the most important element in bringing offenders to justice. If you have given a statement, you may be asked to give evidence in court.

Is there anything else I can do?

Yes. It is important to tell Trading Standards:

- if you have left anything out of your statement or if it is incorrect
- If your address or phone number changes (trials collapse every day because witnesses cannot be contacted in time)
- dates when you may not be able to go to court. Please contact the officer who spoke with you to update this information as soon as it changes. Their contact details are above. It is needed when the trial date is set.
- It is important that you do not do any research into the case or the defendant once you have given your statement so that your evidence is not contaminated. (This can cause a trial to collapse)

Will the suspect (the defendant) or the defence lawyer be given my address?

No, your address is recorded on the additional information page associated with your witness statement and the defendant or their solicitor only receives a copy of the statement. **The address is only required if that is where the incident took place.** Also, witnesses are not usually asked to give their address out loud in court. The defendant or their solicitor is normally told the names of any witnesses.

What will happen to my statement?

If a suspect is prosecuted over this incident, your statement and all the other evidence will be passed to the Legal Team at Leicestershire County Council who then take the case to court on our behalf.

Who will read my statement?

Everyone involved with the case will read your statement (e.g. Trading Standards, Leicestershire County Council's Legal Team,

our appointed barrister, the defence and the magistrates or judge).

What if someone tries to intimidate me?

It is a criminal offence to intimidate (frighten) a witness or anyone else helping in an investigation. If you are harassed or threatened in any way before, during or after the trial, you should tell the police immediately by calling the Police on either 101, or 999.

Will I be told what is happening in the case?

Trading Standards endeavour to keep victims and witnesses up to date with what is happening, but it is not always possible to do this in every case. Remember, you can contact the officer who took your statement at any time if you have questions or concerns.

You will be contacted if you are needed to go to court (but it may be some time after you gave your statement, as cases take time to prepare).

Victims of crime are usually told:

- if a suspect is charged
- what happens at court
- if the case does not proceed for any reason

Witnesses who are not victims of the crime may not be contacted again if:

- the suspect admits the offence and is cautioned or pleads guilty at court
- there is not enough evidence to prosecute the suspect
- no suspect is identified

Will I have to go to court?

You may have to go to court if the defendant either:

- denies the charge and pleads "not guilty"
- pleads guilty but denies an important part of the offence which might affect the type of sentence they receive.

If you are asked to go to court, the prosecution and defence lawyers will ask you questions

about your evidence. You will be able to read your statement to refresh your memory first. If you have given a statement and are then asked to go to court to give evidence, you must do so.

You will be sent

- a letter telling you when and where to go
- an information leaflet

What will happen if I don't go to court?

If you have any problems or concerns about going to court, you must inform Trading Standards as soon as possible. If you have to go to court but there is reason to believe that you will not go voluntarily, the court may issue a witness summons against you. If you still fail to attend without good reason you may be found "in contempt of court" and arrested.

Where will the case be heard?

Victim First.

Support@victimfirst.pnn.gov.uk

0800 9539595

If you or someone you know has been affected by crime, Victim First can give you the support needed to enable you to cope and recover from your experiences.

The service is free and available to anyone who has been affected by a crime.

All victims and witnesses will be offered support from Victim First, which is independent, confidential and free. This support will include someone to talk to, a quiet place in which to wait and a chance to see the court before the day of the trial. Although the Witness Service volunteers will explain the court process to you, they cannot discuss the specific details of the case.

Witness Services are also available at the following Courts:

Leicester Magistrates' Court

leicester.magistrates@victimsupport.org.uk

0116 255 3666

Leicester Crown Court

leicester.crown@victimsupport.org.uk

0300 3311250

Privacy Statement

Please note any personal data and sensitive or special categories of data obtained is done so by Leicestershire County Council through Leicestershire County Council Trading Standards Service. The information we have obtained from you will be used to enforce or ensure compliance with the statutory functions that Trading Standards enforce. This may include the prosecution of offences.

This information may be shared with other enforcement agencies and local authorities nationally for the purpose of litigation only.

Most cases are heard in the magistrates' court. More serious crimes are heard in the crown court before a jury.

Who can help?

Every court has a free and confidential Witness Service and you can contact them before the trial. Their trained volunteers offer:

- information on what happens in court
- emotional support and someone to talk to in confidence
- someone to be with you in court when you give evidence
- a visit to the court before the trial, including where possible, a look around a court room so you know what to expect.

Their telephone numbers are listed below. The Witness Service does not discuss evidence or give legal advice.

We have a legal basis for processing this information in order to perform a task in the public interest, namely investigation of suspected offences under statutory legislation enforced by Trading Standards. We also process personal data for the purpose of law enforcement as it is part of our statutory duties.

Other personal data may be processed if relevant to alleged offending, as well as information provided in any representation made by you. Data protection legislation provides you with 8 rights in regards to your personal data subject to the legal basis for which it was obtained. We will retain the information securely in line with our retention schedule.

Further information concerning your data and the use we make of it can be obtained by contacting Leicestershire Trading Standards Service on 0116 305 8000