



Witness Statement

If a party to any legal proceedings (including a benefit appeal) wants to call a witness in support of his/her case it will usually be more efficient if the witness provides a written statement. The witness can still be questioned by the court/Tribunal and the other parties to the case, but if s/he provides his/her initial evidence (also known as “evidence in chief”) in writing beforehand it gives everyone involved in the case an opportunity to read the evidence and think about their questions in advance.

In a benefit Tribunal the witness statement does not have to conform to any prescribed format and the witness does not usually have to swear an oath. The Tribunal’s main concern is that the statement has “probative value” (i.e. that it tells the Tribunal something useful).

Witness statements can be very useful in appeals about supported accommodation because the claimant whose appeal is being heard might lack the capacity to provide the Tribunal with all the necessary information about his/her case and s/he might no longer live in the accommodation by the time the appeal is heard. Witnesses might be the landlord’s staff or support workers and they can provide the Tribunal with an account of their dealings with the claimant.