



**THE SUPREME COURT
FALKLAND ISLANDS**
Criminal Appellate Jurisdiction

NOTICE OF APPLICATION FOR WITNESS ORDER

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|--|---------------------------------------|----------|
| The Appellant <i>Give full name</i> <i>If in custody give address where detained</i> | Surname: | |
| | Forenames: | |
| | Address: | |
| | Date of Birth: | |
| | Supreme Court reference number | SC/CRIM/ |
| Particulars of witness | Surname: | |
| | Forenames: | |
| | Address: | |
| Do you want a Witness Order? (A witness order is not required if the witness would attend the Supreme Court voluntarily) | | Yes / No |
| Was the Witness called at the trial? | | Yes / No |
| Do you seek any directions about the way evidence should be received? If yes, please attach details | | Yes / No |
| The witness can now give the following evidence (which was not given at trial). Please attach full witness statement | | |
| The evidence was not given at the trial because (see notes overleaf) | | |

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| Signed : | Address and status of person signing on Appellant's behalf |
| Appellant / Legal Rep (delete as appropriate) | |
| Date: | |

NOTES FOR GUIDANCE ON COMPLETION OF THIS FORM

1. Form W(CrimApp) is required for an application for a witness order and/or an application for permission to call a witness. This form must accompany or follow Form NG(CrimApp). If it follows Form NG(CrimApp) please quote the Supreme Court reference.
2. A separate form must be used for each witness
3. A witness cannot be called without the permission of the Supreme Court. Before giving permission to call a witness, the Court will consider, with other matters, whether the evidence, if received, would afford any ground for allowing the appeal, whether the evidence is likely to be credible, and whether there is a reasonable explanation for failure to adduce the evidence at the trial. Do not set out in the form the evidence which the witness gave at trial.
4. An application for permission to call fresh evidence should be supported by witness statements from all involved in the obtaining of the new evidence to provide the Court with the circumstances surrounding the obtaining of new evidence.
5. Any application for Special Measures or any other direction about how the evidence should be received must be attached, with reasons.
6. This form must be signed by or on behalf of the appellant. Any person signing on behalf of the appellant must give his address and status.