



West Yorkshire
Fire & Rescue Service

Third Party Interviews and Court Appearance Policy

OFFICIAL

Ownership: Corporate Services

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Revision and Signoff Sheet

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11/07/2014	Pam Imeson	2.0	Inclusion of Witness Statement Reference
17/01/2019	Beverley Croft-Nicholson	3.0	Review wording and update links
08/09/2022	Beverley Croft-Nicholson	4.0	Review of wording, links and accessibility

Reviewers

Name	Version Approved	Position	Organisation	Date
Alison Davey	2.0	CS Manager	WYFRS	11/07/2014
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Distribution

Name	Position	Organisation
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1 Introduction

Third Party interviews may be requested by the Police, Insurance Companies or other interested parties.

For operationally based cases, administration and guidance will be the responsibility of Corporate Services and the Nominated Officer respectively.

All other cases will be referred to the Legal Administrative Officer to determine an appropriate officer to advise.

Where operational personnel have been requested by West Yorkshire Police to supply a witness statement following an operational incident, they should request the assistance of a Fire Investigation Officer. The relating procedure can be found in the Fire Investigation Policy.

2 Third Party Interviews

Before a third party interview involving uniformed personnel takes place, any interested party must make the initial request through Corporate Services. However if a request is deemed urgent and out of hours, the 1st Call Group Manager (GM) should deal with the request ensuring that Corporate Services are notified of the details at the first opportunity.

For all interviews, Corporate Services, or the 1st Call Group Manager (GM), will nominate an FDS Officer (the Nominated Officer) to offer advice/guidance to the interviewee prior to the interview taking place.

The Nominated Officer will normally be the local Station Manager. If not available, Corporate Services or the First Call GM will be responsible for nominating an officer.

Where Firefighters and/or Crew Managers are being interviewed, the Watch Manager will supervise the interview.

Watch Managers and above will be interviewed unsupervised, other than on those occasions where the individual requests support, or where supervision is appropriate due to the nature of the incident, in which case the Nominated Officer will also attend.

Corporate Services will send all necessary information and documentation for interviews to the interviewee, who will then be responsible for contacting the third party, making and confirming all arrangements for the interview as and when their work rota allows.

The interviewee should be advised that, with the exception of the police, no statements should be signed at this stage of the proceedings.

Statements for the police may be signed at the time of the interview, however, the station address and telephone number only should be given; not home address and telephone numbers. The police should be asked to forward a copy of the statement direct to the interviewee, who is responsible for retaining the document for reference.

Where the police request a statement to be provided, without an interview, advice must be obtained from Fire Investigation who will assist in ensuring that the format and content is correct before submission.

For interviews with other agencies - three copies of the statement should be provided by the interviewer, which should be checked by the Watch Manager/Nominated Officer (as appropriate) prior to signing by the interviewee.

Following completion of the interview, the interviewee/Nominated Officer should contact Corporate Services with details of the interview (date, time, duration, etc.) in order that any charge can be levied as appropriate. (See [Publication Scheme | West Yorkshire Fire and Rescue Service \(wyfs.co.uk\)](#) under the 'Our policies and procedures' tab; 'Charging regimes and policies' heading: Third Party Interview Charges).

3 Court Attendances by Uniformed Personnel

Uniformed personnel receiving notification to attend court to provide evidence as a witness should, in the first instance, contact Corporate Services, FSHQ.

For all court attendances, Corporate Services will nominate an FDS officer (the Nominated Officer) to provide advice/guidance to the witness prior to the court appearance. Advice and information on attending court, dress code, etc. is available in Section 4 of this document.

The Nominated Officer will normally be the local Station Manager. If not available, Corporate Services or First Call Group Manager (GM) will be responsible for nominating an officer.

Where Firefighters and/or Crew Managers are required to attend Court, the Nominated Officer will also attend to observe proceedings and offer support and guidance as necessary.

Watch Managers and above will attend Court unsupervised, other than on those occasions where an individual requests support, or where supervision is appropriate due to the nature of the incident, in which case the Nominated Officer will also attend.

Following attendance at Court, the Nominated Officer will arrange a debrief with the witness and submit a brief report to Corporate Services.

If necessary the Nominated Officer should liaise with a Fire Investigation Officer regarding the court procedure/protocol.

4 Court Attendance – Aide Memoire

Nominated Officer

- A Station Manager will be nominated as a contact for support and guidance.

Dress Code

- Operational personnel should wear Undress Uniform (minus cap)
- Non-operational personnel should wear appropriate smart attire, such as suit, shirt and tie

On arrival at Court

- You will usually be able to park near the Courthouse – it may be possible to park at the nearest fire station and walk to Court
- You will need to pass through security and search routines prior to entry
- Report to Reception or the Court Usher (usually wearing a black gown)
- Be aware that there may be a long delay before you give evidence

Documents required

- Police statement, fire report, etc.

Procedure

- You may be able to look in an empty courthouse prior to commencement of the hearing – ask the Court Usher
- You can sit in the public gallery and listen to other cases whilst waiting for your case to commence – inform the Court Usher where you are
- In Court – you will be asked to stand in the witness box and take an oath
- The prosecution asks questions first and then the defence (then possibly the prosecution again)
- Advise the Court Usher if you do not wish to give your home address in open court, use the fire station address

Addressing the Magistrate or Judge

- Magistrates Court – the Magistrate should be referred to as ‘Sir’ or ‘Madam’
- Crown Court – the Judge should be referred to as ‘Your Honour’

Expenses

- A claim can be made for travelling expenses to the Court, parking, meals, etc. - ask court staff for a claim form

Leaving Court

- Do not leave until you are advised that you are no longer needed
- You can stay to listen to the rest of the case if you wish

Further Guidance

- Contact Corporate Services at FSHQ – 01274 682311