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# CRIMINAL TRIAL PREPARATION

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- Spend time preparing your case before the trial.
- Preparation does not end when the trial starts.
- Be alert and organized during the trial.
- Take accurate notes.

Here are some suggestions and ideas that may help you in your day in court.

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## TRIAL PREPARATION

### (1) Disclosure

- At your first appearance, the Crown prosecutor should give you copies of the material they have about your charges.
- If information is missing, then send the prosecutor a letter asking for it.
- Read everything and write down what you received and when you received it.

### (2) Analysis

- Make notes of any discrepancies, mistakes, or gaps in the witness statements or police reports.
- Make a note of anything that might suggest bias, inaccuracy or weakness in a Crown witness.
- Think about what information or detail may be used against you, and what you may need to explain.

### (3) Preparation

- Write down your version of events.
- Speak to others who may be witnesses.
- Ask those who could be helpful to write a statement setting out their names, addresses, telephone numbers and observations.
- Take this information to a lawyer or legal advice clinic along with copies of the *Information* and *particulars* from the Crown and any other materials that may help explain your case, including pictures, diagrams and maps.

- **USE THE LAWYER'S SUGGESTIONS** to prepare an outline for your final submissions. This outline must be logical and there must be evidence to support each point.
- **LIST THE WITNESSES**, their addresses, their telephone numbers, and the evidence each will give. **GO OVER** with each witness the questions you intend to ask them and what their truthful responses to those questions would be. Tell them that they will be subpoenaed and arrange to get subpoenas through the Court Registry.
- **PREPARE AN OUTLINE OF THE EVIDENCE** and how you will present it. Any evidence that does not add support to your final submission is unnecessary should be discarded.
- **DISCUSS WITH A LAWYER** the advantages and disadvantages of testifying. If you decide to testify, then make an outline of what you want to say.
- **PREPARE AN OUTLINE IN POINT FORM** of your cross-examination of the Crown witnesses. List your version of the events alongside the points of their evidence that you intend to challenge. Include any helpful evidence that the witness may admit.

(4) **Get Ready for Court**

- **PREPARE YOUR WITNESSES** by going over the questions you will ask them and the purpose of their evidence. Go over with them the questions that Crown might ask them.
- **TELL THEM** to dress neatly and to wait outside the courtroom until they are called.
- **ORGANIZE YOUR MATERIAL** including pictures, maps, sketches and outlines. Make enough copies for yourself, the Judge, the witness and the Crown Counsel.