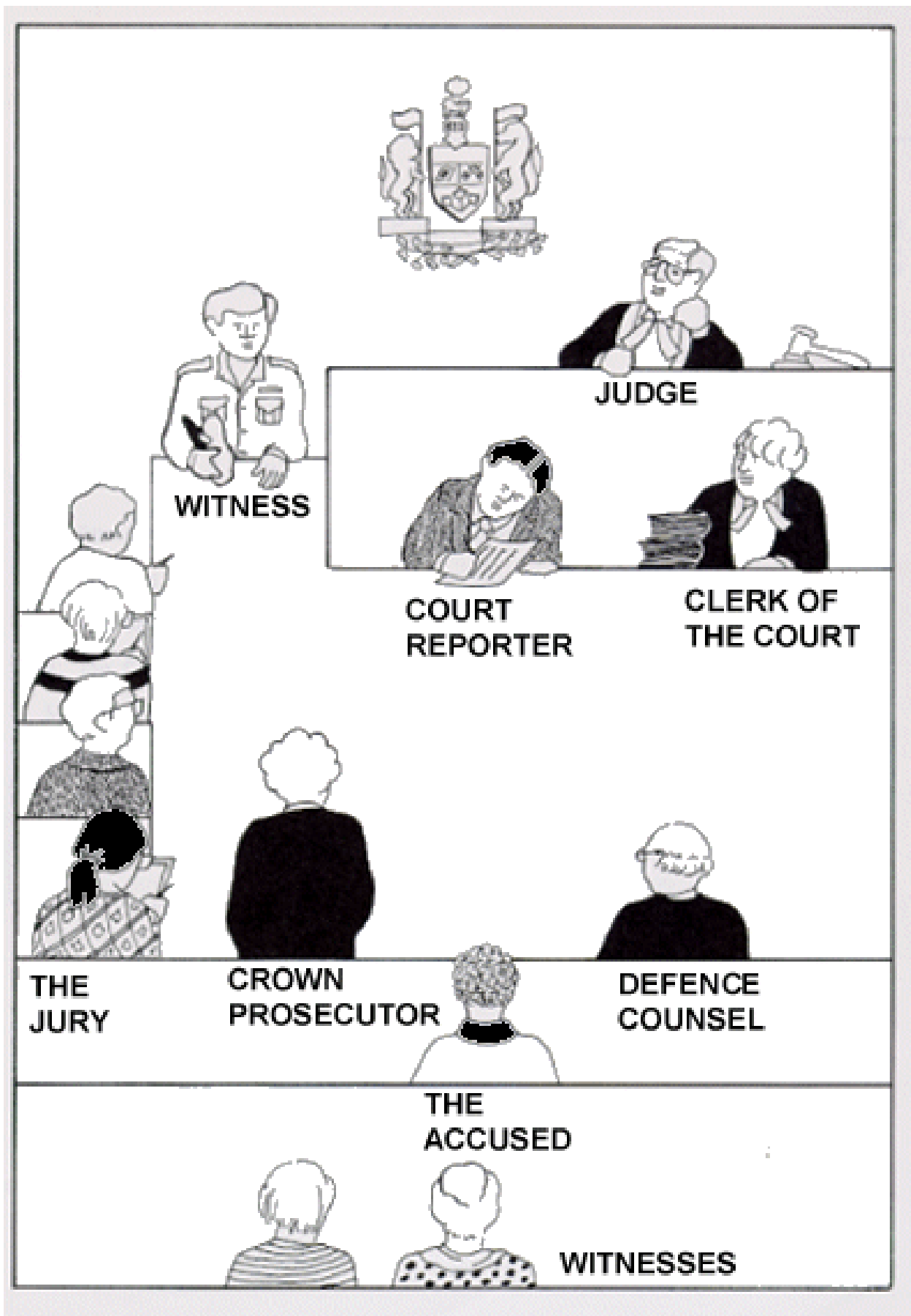


## Who is in the Courtroom?



**Clerk of the Court:**

- is the judge's assistant
- says "all rise" when the judge enters the courtroom
- will ask the witness to take an oath or to make an affirmation promising to tell the truth
- calls witnesses by name to take the stand and asks them to give their full name for the court reporter to record it properly

**Court Reporter:**

- sits in front of courtroom near the judge
- records (usually via computer) everything that people say while the trial is going on

**Crown Prosecutor:**

- acts as the defender of society, not as the witness's lawyer. The accused is seen as someone who may have committed a crime against the values of society. Thus, the Crown Prosecutor defends society's values. (You will also hear the Crown Prosecutor called the Crown or the Prosecutor. These terms mean the same thing.)
- does NOT represent the victim
- decides whether the case will proceed
- will not drop a case at the victim's request
- will get at the truth. If there is not enough evidence, the Prosecutor will likely recommend that the trial not proceed.
- is very busy and will probably not contact you unless you are a key witness and he or she needs to talk to you
- refers to the other lawyer as "my friend" as a sign of respect
- must be informed of any new evidence or information that you may have

**Defence Counsel:**

- works for the person accused of breaking the law
- may try to find out if a witness is confused or making things up
- asks the witness questions when the Crown Prosecutor has finished (referred to as cross-examination)
- may ask you the same questions in different ways
- tests the credibility of each witness's evidence

**Judge:**

- listens to everyone's story and fits the pieces together like a puzzle until he or she understands the whole picture
- when there is no jury, decides whether the accused is, or is not, guilty
- is called "Your Honour," "Your Lordship," "My Lord," or "My Lady"
- asks you to stand down when you have finished testifying and being cross-examined
- decides on the appropriate sentence when the accused is found guilty

**Jury:**

- may or may not be there (depending on the nature of the crime and the decision of the accused)
- is composed of 12 adult Canadian citizens, men and women, selected for jury duty
- acts as "finder of fact"
- makes a decision independently. Jury verdicts must be unanimous for the court to act.

**Security Guard:**

- maintains a safe environment in the courtroom
- wears a uniform that looks similar to a police officer's uniform

**Witnesses:**

- A witness is called to give evidence in court in order to discover the truth. It is important that you answer honestly.
- You have been called as a witness because you have valuable information about the case. Your contribution is important so that the courts can make a fair decision.
- A witness is subpoenaed by the court. A subpoena is a court order that requires or compels a witness to attend.
- Witnesses are not expected to be experts in court process. They are expected to tell what they saw or know.