

Giving your best evidence: advice for witnesses in fitness to practise hearings

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A summary of our animation

This animation is designed to support individuals who have been asked to give evidence at a fitness to practise hearing. It provides reassurance, practical guidance, and simple strategies to help witnesses feel more prepared, confident, and supported before, during, and after giving evidence.

1. Being Asked to Give Evidence

The animation begins by acknowledging that receiving a request to give evidence can feel unsettling. Feelings such as anxiety, uncertainty, or lack of confidence are presented as normal and common responses. Witnesses are encouraged to seek clarification from the regulator if they do not understand the request.

2. Understanding Stress: The Window of Tolerance

A key concept introduced is the 'window of tolerance', which explains how people respond to stress.

- When within the window, individuals can:
 - Think clearly
 - Speak calmly
 - Engage effectively
- Under stress, individuals may move:
 - **Above the window** (feeling anxious, overwhelmed)
 - **Below the window** (feeling numb, shut down)

The animation emphasises that these responses are natural and manageable.

3. Managing Stress in the Moment

The animation offers practical techniques to help witnesses remain within, or return to, their window of tolerance:

If feeling overwhelmed (anxious):

- Focus on slow breathing (longer exhales)
- Ground yourself physically (e.g. feet on the floor)
- Keep hands occupied (e.g. holding an object)
- Ask for a break or pause

If feeling shut down (blank / numb):

- Use gentle movement (e.g. moving hands, shoulders)
- Look around the room to reconnect with surroundings
- Take a sip of water
- Ask for a short break

These strategies are presented as simple, practical ways to support clear thinking and communication.

4. Understanding the Role of a Witness

The animation clarifies that a witness's role is to:

- Share what they saw, heard, or experienced
- Help the panel understand what happened

Witnesses are reassured that their role is not to argue a case, but to provide honest, accurate, and respectful evidence.

5. Preparing to Give Evidence

Witnesses are encouraged to:

- Review their witness statement in advance
- Recognise that evidence should reflect what they originally reported
- Understand that it is acceptable to say:
 - 'I don't remember'
 - Or to clarify if unsure

6. Answering Questions and Cross-Examination

The animation explains that questioning, including challenge, is a normal part of the process.

Witnesses are advised to:

- Take time before answering
- Ask for questions to be repeated or simplified
- Answer only what is asked
- Avoid guessing
- Correct misunderstandings

Questioning is reframed as an opportunity to explain clearly what happened, even when it feels difficult.

7. After Giving Evidence

The closing section focuses on reassurance and recovery:

- It is normal to:
 - Feel tired
 - Reflect on what was said
- Witnesses are reminded:
 - They have fulfilled their role by sharing what they knew
 - Their evidence is complete once given

They are encouraged to:

- Focus on the present and future
- Avoid overthinking their answers
- Seek support if needed

Before the Hearing

- It is normal to feel anxious or unsure
- Read the request carefully
 - Contact the regulator if anything is unclear
- Re-read your witness statement
 - Focus on what you saw, heard, or experienced
 - If you remember something new or need to correct anything, contact the person who prepared your statement
- Understand your role:
 - To help the panel understand what happened clearly
 - Not to argue or prove a case

Practical Preparation

If attending online

- Take up any test call / technology check offered
- Choose a location that is:
 - Quiet, private, and comfortable
 - Has reliable internet
- Position yourself clearly on camera:
 - Head and shoulders visible (“postage stamp” view)
- Have water and anything you may need nearby

If attending in person

- Plan your journey in advance
- Know the exact address and entry process
- Allow extra time for:

- Security / sign-in in large buildings
- Consider bringing a trusted person to wait with you

Understanding the Process

- Hearings can involve delays
 - You may not always be told what is happening immediately
 - You may not know exactly when you will be called
- Sometimes hearings go 'part heard':
 - It could continue after breaks or on another day
 - You will usually be told not to discuss your evidence during breaks

During the Hearing: Managing Yourself

- Be aware of how stress affects you ('window of tolerance')
- Use simple techniques:
 - Slow breathing (longer exhales)
 - Grounding (feet on floor, noticing surroundings)
 - Small movements (hands, shoulders)
- You can:
 - Ask for breaks
 - Take a pause before answering
 - Ask for questions to be repeated or simplified

Giving Your Evidence

- Take your time
- Answer only what is asked

- Stick to what you know:
 - Do not guess
 - Say “I don’t remember” if needed
- Correct misunderstandings
- Expect your evidence to be checked and challenged
 - This is part of the process, not personal

After Giving Evidence

- It is normal to feel tired or reflect on what you said
- You may not be able to speak to lawyers immediately afterward
- The outcome may take time to be communicated
- Remember:
 - You have done your role by sharing what you knew
- Focus on rest and self-care
- Seek support if needed

Helpful checklists

Pre-Hearing Checklist

Understanding & Preparation

- I understand why I am giving evidence
- I have re-read my witness statement
- I know who to contact if I need clarification
- I have raised any corrections or additional information to go in my statement before the hearing

Practical Arrangements

Online:

- I have completed a test call (if available)
- I have a quiet, private, comfortable space where I won't be interrupted
- My internet connection is reliable
- My camera shows my head and shoulders clearly

In person:

- I have planned my journey
- I know the building location and entry process
- I have allowed extra time
- I have arranged personal support (if needed)

Emotional Readiness

- I recognise my feelings are normal
- I have simple coping strategies prepared
- I know who I can talk to if I feel anxious
- I have re-read my statement

During Hearing Checklist

- I take time before answering
- I ask for clarification if needed
- I answer only what I know (no guessing)
- I say if I don't remember
- I correct anything inaccurate
- I use grounding or breathing if needed
- I ask for a break if needed
- I do not discuss my evidence during any breaks

Post-Hearing Checklist

Immediately After

- I allow time to rest
- I recognise it is normal to feel tired

Reflection

- I remind myself I have done my role
- I avoid over-analysing my answers

Practical Expectations

- I understand lawyers may not be available to speak to me immediately
- I know the outcome may take time and I can find this out from the regulator/lawyer
- I should contact my point of contact with the regulator for support to claim expenses

Support & Moving Forward

- I seek support from the regulator or other independent support available if I feel unsettled or have questions e.g., about the outcome

- I return to normal routines
- I focus on wellbeing and self-care