

A Guide for Witnesses

You are coming to the Commission as a witness either because someone asked you to testify on their behalf, or because you received a summons requiring you to testify before the Commission. These are some things to know in advance:

- A proceeding before the Commission is called a hearing. The decision maker is a panel of one or more commissioners, referred to as Mister/Madam Commissioner.
- You will be paid witness fees in accordance with the [Costs and Fees Act](#), RSNS 1989 c. 104.
- If you were summonsed to appear, you must show up for the dates and times indicated in the summons. The summons stays in place until the hearing is completely finished, the Commission releases you, or the person who summonsed you (or their lawyer) releases you.
- If you are summonsed for a hearing that is scheduled to last several days, you are expected to make yourself available for that whole time, until you have given your testimony and are released from the summons. You are expected to provide the Commission any information asked for in your summons.
- If you cannot attend on the dates stated in the summons you should talk to the person or lawyer who sent you the summons to see if the date and/or time of your testimony can be changed. Only the Commission can release you from your summons if the person or lawyer who called you as a witness is not prepared to do so. Disobeying a summons without permission could result in serious consequences for you, such as being found to be in contempt of court, arrested, and/or fined.
- When you come to the Commission as a witness, generally you cannot sit in the hearing room to observe or listen to what is going on. As a witness, you will have to remain outside of the hearing room, going into the room only when you are called to testify, so that your testimony will not be influenced by other things being said in the hearing room.
- When you enter the hearing room, you will be asked to go to the witness chair and to take an oath or affirmation. Taking an oath means that you swear on a holy book, such as Bible, or give an affirmation, which is not affiliated with any religion. Whether it is an oath or an affirmation, you are swearing that you will tell the truth in the hearing. If you lie under oath or affirmation, you could be found guilty of perjury, which could bring serious consequences to you.

- It is your job as a witness to tell the truth, to the best of your ability, about everything you are asked.
- Whoever called you as a witness, or their lawyer if they have one, will ask you questions first. When they are done asking you questions, the other person, or their lawyer if they have one, may cross-examine you. This means that they may ask you questions about anything you said up to that point, or any other relevant information. Then whoever called you as a witness, or their lawyer, may ask you questions a second time, once your cross-examination is finished. This is called re-direct.
- When you are done giving testimony being cross-examined and answering any re-direct questions, you may be released by the Commission and/or asked to leave the courtroom. You may be permitted to stay in the hearing room, if you wish.
- If you have given documents as part of your evidence, you may have to wait until the end of the hearing to get them back. If you want them back, you should let the Commission and the lawyers know.