

## **Testifying**

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### **Before the trial**

Before the actual trial, you may or may not have contact with the prosecutor assigned to your case. If you have spoken with an advocate, they may be able to take you on a tour of the courtroom and answer any questions you have about what will happen. If you have concerns about the trial or about what you will be asked, it is a good idea to request a meeting with the prosecutor before the actual trial. It is their job to ensure that all of the questions asking during the hearing are appropriate and that you know what to expect.

If you are uncomfortable speaking about the details of your assault, or if you worry about not being able to talk, it might be a good idea to write things out in advance. This will help refresh your memory on what happened and will give you a chance to feel more comfortable with the words. Practice saying the words aloud.

### **During the trial**

You will likely have received a subpoena to testify in court. Bring this with you, because it will have important information about the date and time, and will let you know where you should go. If possible, bring a friend or family member to court with you. If you do not feel comfortable having them in the courtroom, you can still have them wait outside. It is good to have moral support the day of the trial. Also ensure that you make contact with your advocate, so they can provide additional support and answer any questions you may have. If you do not have anyone who can go along with you, consider bringing a small item, such as a worry stone or picture of a loved one—anything that will help you relax.

You are considered a witness at the trial, and in most places you will not be allowed in the courtroom until you are called to testify. This means that you could end up sitting around for hours or days, depending on the length of the trial. Bring a book, some music or anything that will help distract you and pass the time. You should also consider bringing snacks and water to drink, depending on how long you expect to be there.

When it is your turn to testify, you will be allowed to enter the courtroom. Follow the instructions you have been given by the prosecutor or your advocate. If there are questions you do not understand, be sure to ask for the question to be rephrased. Never guess at an answer; if you do not know or do not remember, just say so. Your job is to answer questions truthfully; the rest is up to the prosecutor. Defence lawyers will often try to confuse you, so it is important to answer only the question you are asked, and to ask for clarification if you not understand. This can also give you time to think about what you want to say.

Rape or sexual abuse can be very difficult topics to talk about, and many victims find it intimidating to speak in front of a courtroom. Remember that these people are there to help you and not to judge you. Some people find it helpful to focus on a person in the courtroom while they are speaking. This is one reason to bring a trusted friend or to contact an advocate. You will be required to talk about the events in detail, and some questions may be uncomfortable. Take your time if you are struggling to talk about what happened. Remember to take deep breaths, and ask for a glass of water, a tissue or a short break if you need it. Whatever you are feeling is okay. It is incredibly difficult to share painful details, and you should do what you need to get through.

It is also important to consider that the perpetrator will likely be in the courtroom while you are testifying. You may experience many different emotions, especially if this is the first time you are seeing the perpetrator since the assault. Remember to breathe and focus on the fact that you are safe. He or she cannot hurt you there.

### **After the trial**

You are bound to experience a wide range of emotions after the trial is over. It is a good idea to plan ahead to have some sort of support system to help you after testifying. You may want to plan a fun activity, or spend some time with a friend or family member.

Regardless of the outcome of the trial, know that you did your best. If your perpetrator is found not guilty, it means that the prosecutor was not able to prove the crime. It does not mean that you failed or that you were not believed. People in our lives often see a trial as a

solution to the problem, but the reality is that it could bring up a lot of difficult feelings for you. It is not neatly wrapped up in an hour like on television. Do not let anyone tell you that you should be fine after the trial is over. Even if the perpetrator is found guilty, you are likely to have mixed emotions; whatever you feel is okay. Take the time you need to address any new or old feelings that may come up. Some people find it helpful to talk about the experience with a friend or a therapist.

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