

## **Oaths And Affirmations**

- After establishing the identity of the witness, ask him/her to stand in the witness box.
- It is often helpful to point them in the right direction!!
- Make sure the witness does not walk between the Bench and the Bar table.
- Unless the Magistrate has given permission, the witness must stand whilst taking the oath.
- Make sure there is silence in the courtroom and if anyone is moving about ask them to remain stationary.

### **OATH**

- Ask the witness to:

**RAISE THE BIBLE AND REPEAT AFTER ME**

(pausing after each line to allow the witness to repeat it.)

**"I SWEAR BY ALMIGHTY GOD**

**THAT THE EVIDENCE I SHALL GIVE**

**TO THE COURT IN THIS CASE (APPLICATION)**

**SHALL BE THE TRUTH**

**THE WHOLE TRUTH**

**AND NOTHING BUT THE TRUTH."**

**Then ask the witness to replace the Bible (and if it is the practice at your court, to be seated.)**

**If the witness is unrepresented and not appearing for the prosecution ask him/her to :**

**"STATE YOUR FULL NAME ADDRESS AND OCCUPATION."**

### **AFFIRMATION**

- Any person who objects to swearing on the Bible or similar, takes an affirmation.
- Ascertain the witness' full name and ask him/her to repeat after you

**"I (full name ) DO SOLEMNLY, SINCERELY AND TRULY**

**DECLARE AND AFFIRM**

**THAT THE EVIDENCE I SHALL GIVE**

**TO THE COURT IN THIS CASE  
SHALL BE THE TRUTH  
THE WHOLE TRUTH  
AND NOTHING BUT THE TRUTH"**

### **INTERPRETERS OATH**

- The interpreter is sworn in before the witness.
- Often the interpreter knows the oath, you should ascertain this before he/she enters the witness box. most Magistrates allow Interpreters to swear themselves in.

**"I SWEAR BY ALMIGHTY GOD THAT I SHALL WELL AND TRULY  
INTERPRET**

**THE EVIDENCE ABOUT TO BE GIVEN  
AND ALL OTHER MATTERS AND THINGS  
THAT MAY BE REQUIRED OF ME IN THIS CASE  
TO THE BEST OF MY SKILL AND ABILITY."**

Then ask the Interpreter to state his full name address and occupation.

### **INTERPRETERS AFFIRMATION**

**"I (full name) DO SOLEMNLY, SINCERLEY AND TRULY DECLARE AND  
AFFIRM,**

**THAT I SHALL WELL AND TRULY INTERPRET**

**THE EVIDENCE ABOUT TO BE GIVEN**

**AND ALL OTHER MATTERS AND THING THAT MAY BE REQUIRED OF ME  
IN THIS CASE**

**TO THE BEST OF MY SKILL AND ABILITY"**

Then ask the Interpreter to state his full name, address and occupation.

### **NOTES OF INTEREST**

- Practising Jews will usually take an Oath on the Old Testament only.
- Muslims take an Oath on the Koran, this should be wrapped in a black cloth. DO NOT REMOVE THE CLOTH as the Koran cannot be seen by Infidels (non-believers)
- Also see [chapter 11.2](#) of the "Clerk of Courts Manual".

