EXAMPLE OF DEPOSITION OF WITNESS

Offending involving Physical Harm

Scenario:

John Foster is alleged to have killed Ann Foster. This is deposition from an eye-witness. Other depositions would also be required, for example from the other eye witnesses, and a doctor who could describe the cause of death.

UNDER

The Extradition Act 2003 (Republic of the Fiji Islands) and the Treaty on Extradition between [Name of parties]

IN THE MATTER

of a request from [Name of Requesting Country] for the extradition of [Name of person sought]

DEPOSITION OF [Full name of person]

I, [Name], [Occupation], of [Place of residence] [insert wording that is used when taking depositions in the Requesting Country]¹

Events of 1 January 2007

1. On 1 January 2007 I was walking along Brown Street in Newtown with two friends, Jack Fraser and Ann Foster. Just before going into the Village 3 Theatre we were accosted by John Foster, who began to argue with Ann Foster. The argument became heated and I saw John Foster pull out a knife and stab Ann Foster. While I was telephoning for an

¹ See the explanatory notes contained in the Model Prosecutor's Deposition which also apply here.

- ambulance, John Foster ran away and I have not seen him since.
- I traveled with Ann Foster in the ambulance to the hospital and was present when she died two hours later.
- 3. [Include any other relevant information as appropriate]

Identification of John Foster

4. Annexed to this deposition and marked "A" is a photograph which truly and accurately depicts the appearance of the person whom I have referred to in this deposition as John Foster.

[The form of the jurat below be that used for taking this type of statement under the law of the Requesting Country. It will probably be similar to the following model:]

Taken at [place] this day of 200* before me:	[the person giving deposition signs here]
[The person taking the depo	osition signs here]
	erson taking the deposition who must be the law of the Requesting Country to take lawyer, judge.]