

FORMS OF OATH, etc

In non-statutory inquiries/hearings evidence can only be given under oath if the witness provides a statutory declaration or sworn affidavit, made in front of an independent lawyer before or outside of the inquiry/hearing. This means that the responses of that witness to any subsequent cross examination would not (and could not) be made under oath. Any discrepancies arising as a result of witness cross-examination of evidence given under oath may amount to a breach of that oath. The Inspector should warn the witness where such discrepancies arise and consider whether the evidence can be relied on.

General Oath:

(Taken on the New Testament for Christians and on the Old Testament for Jews)

"I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.

General Affirmation:

"I do solemnly, sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth

Scottish Form:

I swear by Almighty God as I shall answer to God at the Great Day of Judgement, that I will speak the truth, the whole truth and nothing but the truth.

Welsh:

General oath "Tyngaf i ... (enw llawn) i Dduw Hollalluog y bydd y dystiolaeth a roddaf I'r bydd y dystiolaeth a roddaf I'r ymchwiliad hwn y gwir, yr holl gwir, a'r gwir yn unigymchwiliad hwn y gwir, yr holl gwir, a'r gwir yn unig. [I (full name) swear by Almighty God ...]

General Affirmation

"Yr wyfi yn datgan a chadarnhau yn ddifffuant ac yn ddiwyll y bydd y dystiolaeth a roddaf I'r ymchwiliad hwn y gwir, yr holl gwir, a'r gwir yn unig.[I do solemnly, sincerely and truly declare ...]

Affirmation of Quaker or Moravian Witness:

'I, being one of the people called Quakers / Moravians* do solemnly, sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth. *delete as applicable

Oath of a Hindu: (Taken on the GITA)

"I swear by the Gita that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.

Oath of a Sikh: (Taken on the ADI GRANTH)

"I swear by the Guru Nanak that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.

Oath of a Muslim / Follower of Islam: (Taken on the KORAN - Held in the right hand)

"I swear by Allah that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.

A Buddhist:

A Buddhist should be invited to make the general form of solemn affirmation.

Tibetan Buddhists wishing to take an oath should be invited to state the form of oath they regard as binding on the conscience.

Oath for an Interpreter:

"I swear by Almighty God that I will well and faithfully interpret and true explanation make of all such matters and things as shall be required of me to the best of my skill and understanding.

"Tyngaf i (enw llawn) i Dduw Hollalluog y cyfieithaf yn iawn ac yn ffyddion gan egluro'n gywir I'r ymchwiliad ac I'r Tyst, bob cyfryw beth a mater ag a ofynnir imi hyd eithaf fy ngallu a'm deall.

NOTES

- If a witness has a glove on the right hand, he or she should be asked to remove it, so that the Book is held in the ungloved hand. It is usual to say to the witness: -

"Take the Book in your right hand and hold it up. Now say after me: "I swear etc,"

- Christian men take the oath with their heads uncovered.
- Jews cover their heads to take the oath.
- "Kissing the Book" is unnecessary.
- It is usual for the person administering the oath to stand whilst doing so.