

## What next?

If you agree to be a witness, the party who nominated you will provide your name and contact information to the Tribunal Office. You will be given a phone contact number of an official Tribunal Auditor and a date by which contact should be made. (This does not mean you have to complete the interview by that date, it is merely a date by which contact is to be made with your nominated Auditor.) The Auditor will be able to arrange a mutually convenient time and place to take your evidence.

*After reading these notes, if you have any further questions, please do not hesitate to contact the party who nominated you, or the Tribunal, and we shall be happy to help you.*

**Thank you for your assistance.**



*Published by the Tribunal of the Catholic Church (NSW & ACT).*

## The nearest office of the Tribunal

# WITNESS FOR THE TRIBUNAL IN AN ANNULMENT CASE



You have been asked to be a witness in a marriage case before the Tribunal of the Catholic Church. The following information will help you understand what is being asked of you.

*Published by the Tribunal of the Catholic Church (NSW & ACT).*

## Where to Begin?

The Bible - based view of the Catholic Church is that marriage between two baptised people is the intimate union of life and love between a man and a woman which is permanent, faithful and open to new life.

For this reason, the Church cannot accept that a civil divorce alone frees the parties to enter a marriage according to the rites of the Catholic Church.

The work of the Tribunal is to consider whether at the time of marriage, a couple were able to commit themselves to marriage as understood by the Church.

## How can you help?

- A witness provides the Tribunal with facts relating to:
  - the character of both parties to the marriage;
  - their family backgrounds;
  - the courtship; and
  - the marriage itself
- What you know personally is of the greatest importance in your testimony.
- Facts known from other sources can be presented but should be identified as such.
- Most likely you will not be able to answer every question asked. Few people know everything about the marriage of another couple. If you don't know, just say so.

## Do you attend a courtroom?

No. Evidence is normally taken privately and individually, one to one by a trained interviewer (called an Auditor) at the Tribunal office or other Church location.

Neither party to the marriage or any other witnesses will be present.

Sometimes a Tribunal official (called a Notary) might be present.

The interview usually takes between one and two hours.

## What if you know very little at all?

If you don't know either of the parties well or matters concerning their families, courtship and/or marriage, there is little you will be able to tell the Tribunal and you should therefore decline the invitation to be a witness.

## Which party are you a witness for?

Neither. It is true you have been asked by one party to act as a witness before the Tribunal, but it is important to remember that you are not being asked to take sides in the case.

The annulment process does not seek to allocate blame, but to establish the full truth of the circumstances in which the parties made their original consent, and to determine whether or not the consent was binding in those circumstances.

A witness who only wants to speak in favour of one party and against the other provides a biased testimony. This does not help to establish the facts of what happened.

## How should you prepare for the interview?

Reflect on:

- your knowledge of the parties to the marriage;
- their families;
- how they came to meet;
- their courtship;
- the wedding day;
- early years of the marriage; and
- why the marriage failed

We understand that often you will find it difficult to recall the precise details or you might not know all the aspects. Please don't worry - your best recollections given honestly are always helpful.

## You don't want to get involved because....

While often it can be easy to find reasons not to get involved, ask yourself, would you want someone to help you if you were in the same circumstances?

Most people only confide the details concerning their marriage to a few privileged people - their close relatives and friends.

Without the support of people like yourself, parties before the Tribunal have little opportunity to further their case.