

TEACHER'S NOTE: CROSS-EXAMINATION ROLE PLAY

In cross examination you are examining the witnesses for the other side. You are testing their version of events, possibly undermining the witnesses' credibility and putting your side's version of events to them. Here you can put words into their mouth.

Questions are best if they are short, leading questions.

Pick a few points you want to get at. Keep it simple and know where you're trying to go with the questions.

Examples of leading questions:

- "It was dark that night, wasn't it?"
- "You were listening to your iPod, weren't you?"
- "Then you left the room, yes or no?"

Also you should put your side's version of what happened to the witness:

- "My client will say that you were listening to your iPod as you left the shop."
- "Isn't it the case that you stepped out onto the road right in front of my client?"
- "I put it to you that what happened was"

CROSS-EXAMINATION ROLE-PLAY

Exercise

Participants: 'Orla', 'Eoin', 'John', 'Niamh' and 'Conor'

- ◆ Assign Conor to question Orla and Eoin
- ◆ Using John's story of events, Conor questions Orla and Eoin to test their stories and undermine what they told Niamh
- ◆ He points out inaccuracies in what they said
- ◆ If time permits, assign role of cyclist (John)
- ◆ Conor questions John about what happened
- ◆ Niamh cross-examines John to test his story and undermine what he told Conor.

Note: We have indicated that Niamh should question both Orla and Eoin before Conor questions (cross-examines) either of them. This is solely to allow the teacher explain the difference between examination and cross-examination ('examination' is the subject of one role-play exercise; 'cross-

examination' is the subject of a separate exercise). In a court trial a witness would be cross-examined immediately following his/her examination.

It may be more beneficial to treat both role-play exercises as one exercise - that is, combine the examination and cross-examination exercises. In that way cross-examination would immediately follow examination as illustrated in the associated 'Role Play Illustration'