



# Writing a Statement

A statement is prepared in response to a request by your employer (or other party, such as An Bord Altranais, An Garda Síochána, Coroner's Court), to put in writing your response to and/or recollection of certain circumstances or events.

It is essential that nurses and midwives, when making a statement, either as a complainant, a witness, or alleged perpetrator, recognise and understand that a statement will generally be presented to the other party and often will result in the person making the statement being questioned (sometimes under Oath), in relation to it.

A statement given for one purpose can often end up being used and considered for some other purpose, for example a statement made to an internal hospital inquiry may ultimately end up in the Book of Evidence at a Fitness to Practice hearing.

## Before Making or submitting a statement remember:

1. You are not required to make a statement on demand.
2. You are entitled to consider how you will prepare your statement.
3. You are entitled to seek advice from the INMO, or if you are required by your employer to write a statement to protect their interest e.g. a patient complaint about services, you are entitled to have the employer's legal advisor assist you in preparing your statement.
4. You should be aware of the context of the request, i.e. the applicable policy/procedure, under which the statement is required.
5. You should ensure that you have a copy of all relevant records, which you may have made with regards to the incident; i.e. nursing notes, incident report, medical records, or contemporaneous notes.
6. An INMO official can provide important input and assistance including advice regarding construction to ensure clarity and coherence. However, you must remember that this is your statement and you should be fully satisfied with its contents prior to signing it.

## How to write a statement:

1. Ensure you have copies of all the relevant documentation available to you.
2. A statement should be as factual as possible.
3. Accurate detail is essential; dates, times, places, context, explanation of effect of events. Lack of detail may have a negative effect in future investigations, hearings or tribunals.
4. As a general rule, it is appropriate to write a statement in chronological order.
5. Set out the names of witnesses in relation to each event.
6. You should avoid the use of emotive language.
7. Clinical detail is extremely important. Professional and technical language should be used when noting such clinical detail.
8. If the subject matter of the statement is of an embarrassing nature, you must set embarrassment aside, and write down what occurred, or what was said.
9. If you do not recall an event, or incident, then you should state so.
10. Avoid giving your opinion, it is the facts of the incident that are required.
11. Use short sentences. The longer the sentence, the more likely you are to contradict yourself, or enter an unintended qualification, which may be misunderstood at a later date, even by yourself.
12. You should always write a draft statement in the first instance, and ensure that it is seen by your INMO advisor/or legal adviser, prior to submitting it.

## Statements have multiple uses and can be sought and written for:

- |                                  |                           |                       |
|----------------------------------|---------------------------|-----------------------|
| ✓ Internal Inquiries             | ✓ Commission of Inquiries | ✓ Coroner Court       |
| ✓ Dignity at Work Investigations | ✓ Complaints Procedure    | ✓ Garda Síochána      |
| ✓ Trust in Care Investigations   | ✓ External Inquiries      | ✓ Fitness to Practise |
| ✓ Court Proceedings              |                           |                       |

Remember a statement may be written for one purpose and often end up being used in another jurisdiction e.g. Fitness to Practise, therefore consistency is important.

This position paper was prepared by a sub-committee of the Executive Council of the INMO Executive Council, May 2009. Reprinted INMO March 2011. It is your statement, prior to submitting it get advice from the INMO.

INMO officials do not advise members in the context of a criminal investigation. Statements given to the Garda Síochána can be used against you in a Court of Law.

**Criminal matters require legal advice.**

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