

Student's Name

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Course

Date

Unit 3 DB

Witnesses are important entities in the criminal justice system. They determine the trajectory of trials by strengthening the prosecution and the defense. Witnesses also influence the final ruling of the judge. There are three types of witnesses: lay, expert, and law enforcement witnesses. Their testimonies may be used by either the prosecution or defense sides in a trial. It is against this backdrop that it is important to discuss the various roles of lay, expert, and law enforcement witnesses with respect to the prosecution and defense and their required qualifications to make submissions.

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Lay witnesses are the most important type of witnesses in criminal justice as compared to expert and law enforcement witnesses. These witnesses provide firsthand information with regards to the circumstances of a case. Lay witnesses describe the events that transpired according to what they saw with their eyes or heard with their ears. On the other hand, expert witnesses are only required to interpret the information provided by lay witnesses. Expert witnesses are therefore people with enough specialized knowledge that qualifies them to give opinions about the facts of a case (Boccaccini and Brodsky 384). Finally, law enforcement witnesses operate with regards to court testimonies, case analysis, and disposition.

Witnesses are very important entities with regard to the prosecution's case during a trial.

A witness for the prosecution is someone that is summoned during trial to provide testimony aiming at supporting the prosecution's case. Such witnesses usually provide evidence that affirm that the defendant was involved in the underlying criminal offenses. This can be through direct verbal description of what they saw or heard the offender doing. They may also provide items or any other proof to affirm that the defendant is guilty. The submissions of such witnesses are usually presented on a witness statement for the prosecution. Witnesses are therefore important to strengthen the prosecution's case.

Witnesses are also vital with regards to the defense's case. A witness for the defense is usually presented during trial to provide testimony that can help to prove that the defendant is innocent. Such witnesses usually revoke the allegations or facts of the prosecution against the defendant. As a rule, they share the circumstances of the case and the crime that support the fact that the defendant did not participate in the underlying crime. Witnesses for the defense are therefore important entities because their absence renders the trial unbalanced and the likelihood of the defendant being charged guilty disproportionately high.

The main difference between prosecution and defense witnesses is that they are used to support the prosecution's case and defense's case respectively. Prosecution witnesses usually provide evidence against the defendant. They aim at influencing the circumstances of the case in a manner that will affirm that the defendant is actually guilty. On the other hand, defense witnesses are used to support the defendant. They aim at influencing the case for the benefit of the defendant. These witnesses attempt to prove the innocence of the defendant. Prosecution and defense witnesses therefore work in contrast to each other.

An expert witness should have several qualifications before being allowed to make submissions during trial. The witness needs to have a sound mind in order to avoid the occurrence of bias and prejudice during the submission. Apart from this, the witness must demonstrate their skills, knowledge, and competence with respect to the subject matter of the

underlying case. For instance, a physician expert witness must demonstrate an understanding of human anatomy and apply it appropriately and relevantly to the case. Failure to demonstrate such competence disqualifies the witness from making expert submissions.

In conclusion, lay witnesses offer firsthand facts and information about the circumstances of the case. These facts then receive further interpretation by expert witnesses who apply their knowledge and skills in influencing the trajectory of the case. These witnesses are used by the prosecution and the defense to affirm the guilt and support the innocence of the defendant respectively. They are therefore important in criminal trials.

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Work Cited

Boccaccini, Marcus, and Stanley Brodsky. "Believability of Expert and Lay Witnesses: Implications for Trial Consultation." *Professional Psychology: Research and Practice*, vol. 33, no. 4, 2002, pp. 384-388, doi:10.1037/0735-7028.33.4.384. Accessed 17 Oct. 2021.