



COURT OF KING'S BENCH FOR
SASKATCHEWAN

ADMINISTRATIVE NOTICE

Support of Lawyers in the Administration of Oaths

Lawyers, as Officers of the Court, should support the Court's processes respecting Oaths.

Lawyers should inform their clients and witnesses, who may be scheduled to testify before the Court, of the legal and moral significance of giving one's oath and to explain the Court's oath taking process.

This review should include:

- the **Notice on Choice of Oath** contained in the form of the subpoena prescribed in Rule 9-8 of *The Queen's Bench Rules* and Criminal Practice Directive #4 – *Obtaining a Subpoena for a Criminal Trial*, and
- the script of the Oath that will be put to the witness.

Lawyers should remind witnesses that if they wish to give their evidence by swearing on a religious symbol or holy text other than a Christian Bible to bring such spiritual items with them. This enables witnesses to use any such items that they determine necessary to allow their conscience to be bound to provide evidence.

Informing every witness of the process for giving an oath or affirmation in advance of a proceeding will allow them to consider in advance how they wish to bind their conscience while testifying.

The scripts of oath used by the Court in each of the following circumstances are attached:

1. Oath of Witness - Civil Proceeding
2. Oath of Witness - Criminal Proceeding (Trial)
3. Oath of Witness - Criminal Proceeding (*Voir Dire*)
4. Interpreter's Oath.

This Administrative Notice was issued the 11th day of May, 2022, and revised on the 12th day of September, 2023.

Chief Justice M.D. Popescul
Court of King's Bench for Saskatchewan

1. Oath of Witness – Civil Proceeding

“Please state and spell your name for the record.”

(after the witness has stated their name, then)

“You may give your evidence by swearing an oath to tell the truth or by making a solemn affirmation to tell the truth. Both carry the same legal consequences to tell the truth.

Do you wish to swear an oath upon a holy text or symbol of your choice, or do you wish to solemnly affirm to tell the truth?”

If they choose to affirm:

“Do you Solemnly Affirm that the evidence you shall give to the Court touching the matters in question between the parties, shall be the truth, the whole truth and nothing but the truth?”

If they choose to swear an oath:

“Have you brought a holy text or symbol with you or do you wish to use one of the holy texts available in the courtroom?”

(The witness should be asked to either produce the text or symbol or be offered the holy text they prefer.)

“Do you Swear that the evidence you shall give to the Court touching the matters in question between the parties, shall be the truth, the whole truth and nothing but the truth?”

2. Oath of Witness – Criminal Proceeding (Trial)

“Please state and spell your name for the record.”

(after the witness has stated their name, then)

“You may give your evidence by swearing an oath to tell the truth or by making a solemn affirmation to tell the truth. Both carry the same legal consequences to tell the truth.

Do you wish to swear an oath upon a holy text or symbol of your choice, or do you wish to solemnly affirm to tell the truth?”

If they choose to affirm:

“Do you Solemnly Affirm that the evidence you shall give the Court between Our Sovereign Lord the King and the Accused shall be the truth, the whole truth and nothing but the truth.”

If they choose to swear an oath:

“Have you brought a holy text or symbol with you or do you wish to use one of the holy texts available in the courtroom?”

(The witness should be asked to either produce the text or symbol or be offered the holy text they prefer.)

“Do you Swear that the evidence you shall give the Court between Our Sovereign Lord the King and the Accused shall be the truth, the whole truth and nothing but the truth.”

3. Oath of Witness – Criminal Proceeding (Voir Dire)

“Please state and spell your name for the record.”

(after the witness has stated their name, then)

“You may give your evidence by swearing an oath to tell the truth or by making a solemn affirmation to tell the truth. Both carry the same legal consequences to tell the truth.

Do you wish to swear an oath upon a holy text or symbol of your choice, or do you wish to solemnly affirm to tell the truth?”

If they choose to affirm:

“Do you Solemnly Affirm that the evidence you shall give the Court on this trial within a trial shall be the truth, the whole truth and nothing but the truth.”

If they choose to swear an oath:

“Have you brought a holy text or symbol with you or do you wish to use one of the holy texts available in the courtroom?”

(The witness should be asked to either produce the text or symbol or be offered the holy text they prefer.)

“Do you Swear that the evidence you shall give the Court on this trial within a trial shall be the truth, the whole truth and nothing but the truth.”

4. Interpreter's Oath

“Please state and spell your name for the record.”

(after the interpreter has stated their name, then)

“You may give your interpretation by swearing an oath to do so truly or by making a solemn affirmation to do so truly. Both carry the same legal consequences.

Do you wish to swear an oath upon a holy text or symbol of your choice, or do you wish to make a solemn affirmation?”

If they choose to affirm:

“Do you Solemnly Affirm that you will well and truly interpret to the witness herein the oath that shall be administered to them and that you will also well and truly interpret to the witness the questions that may be put to them and the answers thereto, rendering the oath and question from English to _____ and the answers of the witness from _____ to English to the best of your skill and ability.”

If they choose to swear an oath:

“Have you brought a holy text or symbol with you or do you wish to use one of the holy texts available in the courtroom?”

(The interpreter should be asked to either produce the text or symbol or be offered the holy text they prefer.)

“Do you Swear that you will well and truly interpret to the witness herein the oath that shall be administered to them and that you will also well and truly interpret to the witness the questions that may be put to them and the answers thereto, rendering the oath and question from English to _____ and the answers of the witness from _____ to English to the best of your skill and ability.”