

VICTIMS AND WITNESSES (SCOTLAND) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Vulnerable witnesses

Section 20 – Special measures: closed court

49. This section amends the list of special measures in section 271H(1) of the 1995 Act, to add an additional special measure of having a closed court (i.e. excluding the public during the taking of evidence from the vulnerable witness). Section 20 also inserts new section 271HB into the 1995 Act detailing how this new special measure is to operate. This new section provides that members or officers of the court, parties to the case before the court, counsel or solicitors or other persons otherwise directly concerned in the case, bona fide representatives of news gathering or reporting organisations present or such other persons as the court may specially authorise to be present should not be excluded from the court.
50. [Section 20](#) also amends section 271F(8) of the 1995 Act so that this special measure does not apply where the vulnerable witness is the accused.