



Victims and Witnesses (Scotland) Act 2014

2014 asp 1

Vulnerable witnesses

20 Special measures: closed courts

- (1) In section 271H(1) of the 1995 Act (the special measures), after paragraph (e) insert—
“(ea) excluding the public during the taking of the evidence in accordance with section 271HB of this Act,”.
- (2) After section 271HA of the 1995 Act (inserted by section 19), insert—

“271HB Excluding the public while taking evidence

- (1) This section applies where the special measure to be used in respect of a vulnerable witness is excluding the public during the taking of the evidence of the vulnerable witness.
- (2) The court may direct that all or any persons other than those mentioned in subsection (3) are excluded from the court during the taking of the evidence.
- (3) The persons are—
(a) members or officers of the court,
(b) parties to the case before the court, their counsel or solicitors or persons otherwise directly concerned in the case,
(c) *bona fide* representatives of news gathering or reporting organisations present for the purpose of the preparation of contemporaneous reports of the proceedings,
(d) such other persons as the court may specially authorise to be present.”.
- (3) In section 271F(8)(a) of the 1995 Act (special measures not applying in relation to a vulnerable witness who is the accused), after “271H(1)(c)” insert “and (ea)”.