

EXPLANATORY NOTES

VULNERABLE WITNESSES (CRIMINAL EVIDENCE) (SCOTLAND) ACT 2019

INTRODUCTION

THE ACT

Child witnesses

Section 1 – Child witnesses in certain solemn cases

Inserted section 271BZA (Child witnesses in certain solemn cases: special measures)

Inserted section 271BZB (Child witnesses in certain solemn cases: modifications of section 271A)

Inserted section 271BZC (Child witnesses in certain solemn cases: modifications of section 271D)

Section 2 – Child witnesses under the age of 12

Deemed vulnerable witnesses

Section 3 – Deemed vulnerable witnesses in certain solemn cases

Review of arrangements for taking evidence

Section 4 - Review of arrangements for vulnerable witnesses

Taking evidence by commissioner

Section 5 – Taking evidence by commissioner

Notification procedure for standard special measures

Section 6 – Using only standard special measures

Timeframes for vulnerable witness notices

Section 7 – Timeframe for considering vulnerable witness notice

Section 8 – Vulnerable witness notice: lodging deadline

Reporting requirement

*These notes relate to the Vulnerable Witnesses
(Criminal Evidence) (Scotland) Act 2019 (asp 8)*

Section 9 – Report on operation of sections 1 and 5

General

Section 10 – Consequential amendments

Section 11 – Ancillary provision

Section 12 - Commencement

PARLIAMENTARY HISTORY

**ANNEX SECTIONS 271 TO 271M OF THE CRIMINAL PROCEDURE (SCOTLAND)
ACT 1995 AS AMENDED BY THE ACT**