



Vulnerable Witnesses (Scotland) Act 2004

2004 asp 3

VULNERABLE WITNESSES (SCOTLAND) ACT 2004

PART 1

CRIMINAL PROCEEDINGS

Evidence of children and other vulnerable witnesses: special measures

- 1 Evidence of children and other vulnerable witnesses: special measures
- 2 Consideration before the trial of matters relating to vulnerable witnesses
- 3 Evidence of vulnerable witnesses at proofs in relation to victim statements

Evidence of identification prior to trial

- 4 Evidence of identification prior to trial

Expert evidence as to subsequent behaviour of complainer

- 5 Expert evidence as to subsequent behaviour of complainer

Prohibition of personal conduct of defence in cases involving vulnerable witnesses

- 6 Prohibition of personal conduct of defence in cases involving vulnerable witnesses
- 7 Special pre-trial procedures for ascertaining in such cases whether accused has engaged a solicitor

Prohibition on accused personally precognosing children under 12

- 8 Prohibition of precognition by accused in person of child witnesses under 12 in cases to which section 288E applies

Pre-trial procedure in sheriff court summary proceedings

- 9 Summary proceedings in sheriff court: pre-trial procedure where no intermediate diet is fixed

Proceedings in the district court

- 10 Application of vulnerable witnesses provisions to proceedings in the district court

PART 2

CIVIL PROCEEDINGS

Evidence of children and other vulnerable witnesses: special measures

- 11 Interpretation of this Part
12 Orders authorising the use of special measures for vulnerable witnesses
13 Review of arrangements for vulnerable witnesses
14 Procedure in connection with orders under sections 12 and 13
15 Vulnerable witnesses: supplementary provision
16 Party to proceedings as a vulnerable witness
17 Crown application and saving provision
18 The special measures
19 Taking of evidence by a commissioner
20 Live television link
21 Screens
22 Supporters

Establishment of grounds of referral to children's hearings: restrictions on evidence

- 23 Establishment of grounds of referral to children's hearings: restrictions on evidence

PART 3

MISCELLANEOUS AND GENERAL

Abolition of the competence test

- 24 Abolition of the competence test for witnesses in criminal and civil proceedings

Commencement and short title

- 25 Commencement and short title