
STATUTORY INSTRUMENTS

1995 No. 757

The Children's Evidence (Northern Ireland) Order 1995

Competence of children as witnesses

3.—(1) After section 58 of the Children and Young Persons Act (Northern Ireland) 1968(1) there shall be inserted—

“Evidence given by children.

58A.—(1) A child's evidence in criminal proceedings shall be given unsworn.

(2) A deposition of a child's unsworn evidence may be taken for the purposes of criminal proceedings as if that evidence had been given on oath.

(3) A child's evidence shall be received unless it appears to the court that the child is incapable of giving intelligible testimony.”.

(2) Section 57(1) of that Act (evidence of child of tender years to be given on oath or in certain circumstances unsworn) shall cease to have effect.