

SCHEDULE

Rule 3

**New Forms to be inserted in the County Court Rules (Northern Ireland) 1981  
Form 137A Application under Article 81(2) of the Police and Criminal Evidence (Northern  
Ireland) Order 1989 for leave to use television link where witness is a child or is to be cross-  
examined after admission of video recording** ORDER 32: PART IIA: RULE 6B

- An application should be made within 14 days from the date of service of notice of appeal
- This form may also be used where an extension of time has been granted for the making of this application
- A copy of this form must be served at the same time on every other party to the appeal.

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<b>Case Details</b>	}	
of		Petty Sessions
<b>Complainant</b>		District of
of		County Court
<b>Defendant</b>		Division of
Appeal No. (if known)		
Date Notice of Appeal Served:		

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**Application**  
 Name of applicant:  
 Name of applicant's solicitor:  
 Address of solicitor:  
 Reference:

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Give brief details of those charges to which this application relates

**Charges**

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**Note**  
 An application by the defence for evidence to be given through live television link need not disclose who that witness is except to the extent that disclosure is required by section 1 Evidence of Alibi Act (Northern

**Witness** — Please read the Note beside this section before completing

Date of Birth:

If an application has been made to tender in evidence a video recording of testimony from the witness, state the date and (if known) result of that application.

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Ireland) 1972 not need it disclose the name of the person proposed to accompany the witness if this could lead to the identification of the witness

**If the Applicant is the prosecutor** enter the name of witness or (as the case may be) the letter under which he is designated in the proceedings:

**If the Applicant is the appellant** enter name of witness (but only if disclosure is already required by section 1 of the Evidence of Alibi Act (Northern Ireland) 1972):

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**Grounds for applying for evidence to be given by television link**

State the name of the person who will accompany the witness

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Name of the person who is proposed to accompany the witness:

Occupation of this person:

Relationship to the witness of this person (if any):

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**Grounds for believing this person should accompany the witness:**

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**Signature of applicant or applicant's solicitor**

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Date .....

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**Note to party who receives a copy of this notice**

If you wish to oppose this application you are required within 7 days or such other period as may have been specified by the court under Order 32 Part II A Rule 6B(8), to notify the applicant and the chief clerk in writing of your opposition stating the reasons for such.

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Form 137B Notice of Application for leave to tender in evidence a video recording under Article 81A of the Police and Criminal Evidence (Northern Ireland) Order 1989 ORDER 32: PART IIA: RULE 6C

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- An application should be made within 14 days from the date of service of notice of appeal
- If made after the expiry of this period, this notice can be used but should be accompanied by a statement giving good reasons why the application was not made within it.
- A copy of this form and any video recording(s) to which it relates must be sent at the same time to the other party or parties to the case. Where a defendant is unrepresented, a copy of the video recording should not be sent, but must be made available for viewing by him.

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**Case Details**

of	}	Petty Sessions
Complainant		District of
of	}	County Court
Defendant		Division of

Appeal No. (if known)

Date Notice of Appeal Served:

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**Application**

Name of applicant:

Name of applicant's solicitor:

Address of solicitor:

Reference:

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Give brief details of those charges to which this application relates

**Charges**

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**Witness**

Name:

Date of Birth:

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These details need be completed only to the extent that the information is not contained in the video recording itself

State times at which recording began and

**Video recording(s)**

Statement as to circumstances in which video recording is made

Date(s) of video recording(s):

Time(s) of video recording(s):

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

finished including any interruptions

Give address and description of premises where recording made

Location and normal function of premises where video recording made:

Include name, age and occupation of anyone present; time for which present, relationship (if any) to witness and appellant

Details of those present while recording made

Include number, and type of cameras (fixed or mobile), number and location of microphones, video format and whether single or multiple recording facilities used

Equipment used

State name and address of keeper of mastertape

Location of mastertape

State when and by whom each copy accompanying this notice was made

Details of copy

[Note: A copy of any video recordings of other parts of the interview with the witness which is not proposed to tender in evidence must also be provided to the court and the other parties. The details of each such recording must be given as above. Use separate sheets where necessary.]

Grounds for application

I confirm that

- (a) I believe the witness is willing and able to attend the trial for cross-examination;
- (b) The details given in the statement of the circumstances in which the video recording was made above are correct;
- (c) Copies of the video recording(s) to which this application relates have been disclosed to the other parties and their agreement to them being tendered has been sought;
- (d) A copy of this notice and the video recording(s) to which it relates have been served on each party to the proceedings.

Signature of applicant or applicant's Solicitor:

Date:

**Note to party who receives a copy of this notice.**

If you wish to object to this application you are required within 7 days to notify the applicant and the chief clerk in writing of your objection—

- (i) giving reasons why it should not be in the interests of justice for the video recording to be admitted;
- (ii) indicating whether you would agree to part of the video recording being admitted and if so, which part; and
- (iii) stating whether you wish to be represented at any hearing of the application.

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**Form 137C Notice of decision on application to tender in evidence a video recording under Article 81A of the Police and Criminal Evidence (Northern Ireland) Order 1989 ORDER 32: PART IIA: RULE 6C(10)**

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**Case Details**

of

Complainant

of

Defendant

} Petty Sessions District of

} County Court Division of

Appeal No. (if known)

**Application**

Name of Applicant:

Name of Applicant's Solicitor:

Address of Solicitor:

Reference:

Date of Application:

Witness's name:

Date of videotape:

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**Result**

\*Delete as appropriate

Leave to tender the video recording accompanying this application is refused on the following grounds\*/granted\*/granted subject to the following conditions\* (state details of any editing of the recording required or of any additional material disclosed to be added).

Signed .....

Date .....

(an Officer of the Court)