SCHEDULE 1 Paragraph 2(6)

FORM 76A Rule 3.69A

VULNERABLE WITNESSES (SCOTLAND) ACT 2004

Section 12

Received the ……. .day of ……20……

(Date of receipt of this notice)

……..[*signed*]

Sheriff Clerk

VULNERABLE WITNESS APPLICATION

Sheriff Court ……..

…… ….20 …. …….

(Court Ref. No.)

1. [A.B.] (the applicant) is a party to [an appeal under section 51] *or* [an application under section [65(7)] *or* [65(9)] *or* [85(1)] of the Children (Scotland) Act 1995. [(*Specify nature of interest of the party.*)]

2. The applicant [has cited [or intends to cite]] [C.D.] (*date of birth*) as a witness.

3. The applicant considers that [C.D.] is a vulnerable witness under section 11(1)(b) of the Vulnerable Witnesses (Scotland) Act 2004 for the following reasons:–

(*here specify reasons witness is considered to be a vulnerable witness*).

4. The applicant considers that the following special measure[s] is [are] the most appropriate for the purpose of taking the evidence of [C.D.].

(*specify any special measure(s) sought*)

5. The reason(s) this [these] special measure[s] is [are] considered the most appropriate is [are] as follows:

(*here specify the reason(s) for the special measures(s) sought*).

6. [C.D.] has expressed the following view[s] on the special measure[s] that is [are] considered most appropriate:

(*set out the views expressed and how they were obtained*).

7. Other information considered relevant to this application is as follows:–

(*here set out any other information relevant to the vulnerable witness application*).

8. The applicant asks the court to–

(a) consider this vulnerable witness application;

(b) make an order authorising the special measure[s] sought.

……(Signed)

[A.B.]

or [Legal representative of A.B.] *(include full designation)*

NOTE: This form should be suitably adapted where section 16 of the Act of 2004 applies.

FORM 76B Rule 3.69B

VULNERABLE WITNESSES (SCOTLAND) ACT 2004

CERTIFICATE OF INTIMATION

Sheriff Court ……

……20……

(Court Ref. No.)

I certify that intimation of the vulnerable witness application relating to [name of witness] was made to (insert names of parties or solicitors for parties, as appropriate) by (insert method of intimation; where intimation is by facsimile transmission, insert fax number to which intimation sent) on (insert date of intimation).

Date: ……

……(Signed)

Solicitor [or Sheriff Officer]

(include full business designation)