



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART XII

#### EVIDENCE

#### *[<sup>F1</sup>Evidence from other parts of the United Kingdom*

#### **[<sup>F1</sup>273A Television link evidence from other parts of the United Kingdom**

- (1) In any criminal proceedings in the High Court or the sheriff court a person other than the accused may give evidence through a live television link if—
  - (a) the witness is within the United Kingdom but outside Scotland,
  - (b) an application under this section for the issue of a letter of request has been granted, and
  - (c) the court is satisfied as to the arrangements for the giving of evidence in that manner by that witness.
- (2) The prosecutor or the defence in any proceedings referred to in subsection (1) may apply for the issue of a letter of request.
- (3) The application must be made to a judge of the court in which the trial is to take place or, if that court is not yet known, to a judge of the High Court.
- (4) The judge may, on an application under this section, issue a letter to a court or tribunal exercising jurisdiction in the place where the witness is ordinarily resident requesting assistance in facilitating the giving of evidence by that witness through a live television link, if the judge is satisfied of the matters set out in subsection (5).
- (5) Those matters are—
  - (a) that the evidence which it is averred the witness is able to give is necessary for the proper adjudication of the trial,
  - (b) that the granting of the application—
    - (i) is in the interests of justice, and

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*Status: Point in time view as at 16/08/2013.*

*Changes to legislation: Criminal Procedure (Scotland) Act 1995, Section 273A is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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(ii) in the case of an application by the prosecutor, is not unfair to the accused.]

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**Textual Amendments**

**F1** S. 273A inserted (28.3.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), ss. **91(3)**, 206(1); S.S.I. 2011/178, art. 2, sch.

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