



Criminal Evidence (Witness Anonymity) Act 2008

2008 CHAPTER 15

Witness anonymity orders

8 Special provisions for service courts

- (1) Subsections (2) and (3) apply in relation to criminal proceedings before a service court consisting of a judge advocate and other members.
- (2) Any decision falling to be made by the court in such proceedings under sections 2 to 6 is to be made by the judge advocate alone.
- (3) If any evidence is given by a witness in such proceedings at a time when a witness anonymity order applies to the witness, the judge advocate must give the other members such warning as the judge advocate considers appropriate to ensure that the fact that the order was made in relation to the witness does not prejudice the defendant.
- (4) Each of the provisions mentioned in subsection (5) has effect with the modification set out in that subsection in a case where—
 - (a) a witness anonymity order is made by a service court to which that provision applies, and
 - (b) a person does anything in relation to the order which would, if the court had been a court of law having power to commit for contempt, have been contempt of that court.
- (5) In such a case—
 - (a) section 101(1) of the Army Act 1955 (3 & 4 Eliz. 2 c. 18) has effect with the omission of the words “not subject to military law”;
 - (b) section 101(1) of the Air Force Act 1955 (3 & 4 Eliz. 2 c. 19) has effect with the omission of the words “not subject to air-force law”; and
 - (c) section 65(1) of the Naval Discipline Act 1957 (c. 53) has effect with the omission of the words “not subject to this Act”.