

# Vulnerable Witnesses (Scotland) Act 2004 2004 asp 3

# VULNERABLE WITNESSES (SCOTLAND) ACT 2004

# PART 1

# CRIMINAL PROCEEDINGS

Evidence of children and other vulnerable witnesses: special measures

- 1 Evidence of children and other vulnerable witnesses: special measures
- 2 Consideration before the trial of matters relating to vulnerable witnesses
- 3 Evidence of vulnerable witnesses at proofs in relation to victim statements

## Evidence of identification prior to trial

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Expert evidence as to subsequent behaviour of complainer

5 Expert evidence as to subsequent behaviour of complainer

Prohibition of personal conduct of defence in cases involving vulnerable witnesses

- 6 Prohibition of personal conduct of defence in cases involving vulnerable witnesses
- 7 Special pre-trial procedures for ascertaining in such cases whether accused has engaged a solicitor

Prohibition on accused personally precognoscing children under 12

8 Prohibition of precognition by accused in person of child witnesses under 12 in cases to which section 288E applies

# Pre-trial procedure in sheriff court summary proceedings

9 Summary proceedings in sheriff court: pre-trial procedure where no intermediate diet is fixed

#### Status: Point in time view as at 01/04/2007.

#### Proceedings in the district court

10 Application of vulnerable witnesses provisions to proceedings in the district court

#### PART 2

#### CIVIL PROCEEDINGS

#### Evidence of children and other vulnerable witnesses: special measures

- 11 Interpretation of this Part
- 12 Orders authorising the use of special measures for vulnerable witnesses
- 13 Review of arrangements for vulnerable witnesses
- 14 Procedure in connection with orders under sections 12 and 13
- 15 Vulnerable witnesses: supplementary provision
- 16 Party to proceedings as a vulnerable witness
- 17 Crown application and saving provision
- 18 The special measures
- 19 Taking of evidence by a commissioner
- 20 Live television link
- 21 Screens
- 22 Supporters

#### Establishment of grounds of referral to children's hearings: restrictions on evidence

23 Establishment of grounds of referral to children's hearings: restrictions on evidence

#### PART 3

#### MISCELLANEOUS AND GENERAL

#### Abolition of the competence test

24 Abolition of the competence test for witnesses in criminal and civil proceedings

#### Commencement and short title

25 Commencement and short title

## Status:

Point in time view as at 01/04/2007.

#### Changes to legislation:

Vulnerable Witnesses (Scotland) Act 2004 is up to date with all changes known to be in force on or before 11 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.