



Vulnerable Witnesses (Scotland) Act 2004

2004 asp 3

PART 3

MISCELLANEOUS AND GENERAL

Abolition of the competence test

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

- (1) The evidence of any person called as a witness (referred to in this section as “the witness”) in criminal or civil proceedings is not inadmissible solely because the witness does not understand—
 - (a) the nature of the duty of a witness to give truthful evidence, or
 - (b) the difference between truth and lies.
- (2) Accordingly, the court must not, at any time before the witness gives evidence, take any step intended to establish whether the witness understands those matters.