



Vulnerable Witnesses (Scotland) Act 2004

2004 asp 3

PART 2

CIVIL PROCEEDINGS

Evidence of children and other vulnerable witnesses: special measures

16 Party to proceedings as a vulnerable witness

Where a child witness or other person who is giving or is to give evidence in or for the purposes of any civil proceedings (referred to in this section as “the witness”) is a party to the proceedings—

- (a) sections 12 and 13 have effect in relation to the witness as if references in those sections to the party citing or intending to cite the witness were references to the witness, and
- (b) section 15 has effect in relation to the witness as if—
 - (i) in subsection (1), paragraph (a) were omitted, and
 - (ii) in subsection (2), the words “The party or, as the case may be,” were omitted.

Commencement Information

- I1** S. 16 in force at 1.4.2005 for specified purposes by [S.S.I. 2005/168](#), art. 2, [Sch.](#) (with art. 4)
- I2** S. 16 in force at 30.11.2005 for specified purposes by [S.S.I. 2005/590](#), art. 2, [Sch.](#) (with art. 4)
- I3** S. 16 in force at 1.4.2006 for specified purposes by [S.S.I. 2006/59](#), art. 2, [Sch.](#) (with art. 4)
- I4** S. 16 in force at 1.11.2007 in so far as not already in force by [S.S.I. 2007/447](#), art. 3, [Sch.](#) (with art. 4)

Changes to legislation:

Vulnerable Witnesses (Scotland) Act 2004, Section 16 is up to date with all changes known to be in force on or before 26 May 2023. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A11B inserted by [2020 asp 16 s. 4\(3\)](#)
- s. 12(3A) inserted by [2020 asp 16 s. 4\(4\)](#)
- s. 12(6A) inserted by [2020 asp 16 s. 5\(2\)](#)
- s. 22B-22D inserted by [2020 asp 16 s. 4\(5\)](#)