
Status: Point in time view as at 07/04/2020.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus (Scotland) Act 2020, Paragraph 11. (See end of Document for details)

SCHEDULE 4 JUSTICE

PART 5

EVIDENCE

Exceptions to the rule that hearsay evidence is inadmissible

- 11 (1) The Criminal Procedure (Scotland) Act 1995 applies in accordance with the modifications in this paragraph.
- (2) Section 259 (exceptions to the rule that hearsay evidence is inadmissible) has effect as if—
- (a) in subsection (1)(a), for “subsection (2)” there were substituted “subsection (2) or (2A)”,
 - (b) after subsection (2) there were inserted—
 - “(2A) The reasons referred to in paragraph (a) of subsection (1) also include that—
 - (a) to have the person who made the statement physically attend the trial would give rise to a particular risk—
 - (i) to the person's wellbeing attributable to coronavirus, or
 - (ii) of transmitting coronavirus to others, and
 - (b) it is not reasonably practicable for the person to give the evidence in any other competent manner.”,
 - (c) in subsection (3), after “subsection (2)” there were inserted “ or in subsection (2A) ”,
 - (d) in subsection (4), after “subsection (2)” there were inserted “ or in subsection (2A) ”,
 - (e) after subsection (10) there were inserted—
 - “(11) In subsection (2A), “coronavirus” has the meaning given by section 1 of the Coronavirus (Scotland) Act 2020.”.

Status:

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Changes to legislation:

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