
STATUTORY INSTRUMENTS

2000 No. 2091 (c. 55)

CRIMINAL LAW, ENGLAND AND WALES

**The Youth Justice and Criminal Evidence Act
1999 (Commencement No. 4) Order 2000**

Made - - - - *29th July 2000*

In exercise of the powers conferred on him by sections 64(4) and 68(3) of the Youth Justice and Criminal Evidence Act 1999⁽¹⁾, the Secretary of State hereby makes the following Order:

1. The Order may be cited as the Youth Justice and Criminal Evidence Act 1999 (Commencement No. 4) Order 2000.

2. The following provisions of the Youth Justice and Criminal Evidence Act 1999 shall come into force on 4th September 2000:

- (a) section 34 (complainants in proceedings for sexual offences);
- (b) section 35 (child complainants and other child witnesses);
- (c) section 38 (defence representation for purposes of cross-examination);
- (d) section 39 (warning to jury);
- (e) section 40 (funding of defence representation);
- (f) subject to article 3 below, in Schedule 6 (repeals), the entry relating to section 34A of the Criminal Justice Act 1988⁽²⁾; and
- (g) paragraph 4 of Schedule 7.

3. The repeal of section 34A of the Criminal Justice Act 1988 shall not affect the operation of that section in relation to proceedings instituted before 4th September 2000.

Home Office
29th July 2000

Paul Boateng
Minister of State

(1) 1999 c. 23.
(2) 1988 c. 33.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force sections 34, 35, 38, 39 and 40 of the Youth Justice and Criminal Evidence Act 1999 on 4th September 2000. These sections make provision, in connection with certain offences, for protecting witnesses from cross-examination in person by an accused. In addition, the Order brings into force, on the same date, paragraph 4 of Schedule 7 to the 1999 Act and the repeal of section 34A of the Criminal Justice Act 1988 (cross-examination of alleged child victims) provided for in Schedule 6 to the 1999 Act. The effect of paragraph 4 of Schedule 7 is that the provisions commenced by this Order relating to the protection of witnesses from cross-examination in person by an accused will only apply to proceedings instituted on or after 4th September 2000. This Order makes transitional provision for section 34A of the 1988 Act to continue to apply to proceedings instituted before 4th September 2000.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Youth Justice and Criminal Evidence Act 1999 have been brought into force by commencement orders before the date of this Order.

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 67(2) and Schedule 5.	1.1.00	1999/3427
Section 67(3) (partially) and in Schedule 6 the entries relating to the Youth Justice and Criminal Evidence Act 1999.	1.4.00	1999/3427
Sections 59 and 60, section 67(1) and Schedule 4 (both partially) and section 67(3) and Schedule 6 (both partially)	14.4.00	2000/1034
Part I (partially), Schedule 1, section 67(1) and Schedule 4 (both partially) and Schedule 7 (partially)	26.6.00	2000/1587