



2015 CHAPTER 9

PART 7

LIVE LINKS IN CRIMINAL PROCEEDINGS

Live links: witnesses outside the United Kingdom

53.—(1) Part 3 of the Criminal Justice (Northern Ireland) Order 2004 (live links for witnesses in certain criminal proceedings) is amended in accordance with subsections (2) and (3).

(2) After Article 11A (inserted by section 52) insert—

“Witnesses outside the United Kingdom

11B.—(1) This Part applies whether the witness is in the United Kingdom or elsewhere.

(2) A statement made on oath by a person outside the United Kingdom and given in evidence through a link under this Part shall be treated for the purposes of Article 3 of the Perjury (Northern Ireland) Order 1979 as having been made in the proceedings in which it is given in evidence.”.

(3) In Article 15 (interpretation)—

(a) in paragraph (2) for “at a place in the United Kingdom which is outside the building” substitute “absent from the place”;

(b) after paragraph (4) insert—

“(4A) Where two or more legal representatives are acting for a party to the proceedings, paragraph (3)(c) is to be regarded as satisfied in relation to those representatives if the witness is able at all material times to see and be seen by at least one of them.”.

(4) In section 29(3) of the Crime (International Co-operation) Act 2003 (hearing witnesses abroad through live television links) for “Article 80A(4) of the Police and Criminal Evidence (Northern Ireland) Order 1989” substitute “Article 10(2) of the Criminal Justice (Northern Ireland) Order 2004” and after “to apply” insert “in relation to witnesses who are outside the United Kingdom”.