
STATUTORY INSTRUMENTS

2004 No. 1500

The Criminal Justice (Northern Ireland) Order 2004

PART III

LIVE LINKS

Effect of, and rescission of, direction

11.—(1) Paragraph (2) applies where the court gives a direction under Article 10 for a person to give evidence through a live link in particular proceedings.

(2) The person concerned may not give evidence in those proceedings after the direction is given otherwise than through a live link (but this is subject to the following provisions of this Article).

(3) The court may rescind a direction under Article 10 if it appears to the court to be in the interests of justice to do so.

(4) Where it does so, the person concerned shall cease to be able to give evidence in the proceedings through a live link, but this does not prevent the court from giving a further direction under Article 10 in relation to him.

(5) A direction under Article 10 may be rescinded under paragraph (3)—

- (a) on an application by a party to the proceedings; or
- (b) of the court's own motion.

(6) But an application may not be made under paragraph (5)(a) unless there has been a material change of circumstances since the direction was given.

(7) The court must state in open court its reasons—

- (a) for rescinding a direction under Article 10; or
- (b) for refusing an application to rescind such a direction,

and, if it is a magistrates' court, must cause them to be entered in the Order Book.