

These notes refer to the Youth Justice and Criminal Evidence Act 1999 (c.23) which received Royal Assent on 27 July 1999

YOUTH JUSTICE AND CRIMINAL EVIDENCE ACT 1999

EXPLANATORY NOTES

BACKGROUND

Part II

9. Part II of the Act contains a range of measures designed to help young, disabled, vulnerable or intimidated witnesses give evidence in criminal proceedings.
10. The measures include:
 - a change to the definition of who is competent to give evidence;
 - physical measures to reduce the stress of giving evidence at trial (such as informal dress, screens, live link CCTV and the use of pre-recorded interviews);
 - restrictions on the freedom of defendants to cross-examine their alleged victims personally;
 - further restrictions on what evidence about an alleged victim's sexual behaviour can be considered relevant in a trial for a sexual offence; and
 - further restrictions on publishing information that might reveal the identity of a witness.
11. These measures were proposed in *Speaking Up for Justice (June 1998)*, the report of an interdepartmental review of the treatment of vulnerable or intimidated witnesses in the criminal justice system.
12. Part II of the Act also makes amendments to the law governing the use of evidence at trial.
13. Chapters I to III and V of Part II of the Act (and sections 58 and 60 in Chapter VI) apply to proceedings in England and Wales only. However, the reporting restrictions in Chapter IV of Part II apply to the publication anywhere in the UK of reports about proceedings in England and Wales, Northern Ireland and courts-martial.