



Youth Justice and Criminal Evidence Act 1999

1999 CHAPTER 23

PART II

GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

CHAPTER I

SPECIAL MEASURES DIRECTIONS IN CASE OF VULNERABLE AND INTIMIDATED WITNESSES

Special measures

25 Evidence given in private.

- (1) A special measures direction may provide for the exclusion from the court, during the giving of the witness's evidence, of persons of any description specified in the direction.
- (2) The persons who may be so excluded do not include—
 - (a) the accused,
 - (b) legal representatives acting in the proceedings, or
 - (c) any interpreter or other person appointed (in pursuance of the direction or otherwise) to assist the witness.
- (3) A special measures direction providing for representatives of news gathering or reporting organisations to be so excluded shall be expressed not to apply to one named person who—
 - (a) is a representative of such an organisation, and
 - (b) has been nominated for the purpose by one or more such organisations,unless it appears to the court that no such nomination has been made.

Changes to legislation: *Youth Justice and Criminal Evidence Act 1999, Section 25 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (4) A special measures direction may only provide for the exclusion of persons under this section where—
- (a) the proceedings relate to [^{F1}a sexual offence [^{F2}or an offence under [^{F3}section 1 or 2 of the Modern Slavery Act 2015][^{F1}an offence listed in section 17(4A)]]; or
 - (b) it appears to the court that there are reasonable grounds for believing that any person other than the accused has sought, or will seek, to intimidate the witness in connection with testifying in the proceedings.
- (5) Any proceedings from which persons are excluded under this section (whether or not those persons include representatives of news gathering or reporting organisations) shall nevertheless be taken to be held in public for the purposes of any privilege or exemption from liability available in respect of fair, accurate and contemporaneous reports of legal proceedings held in public.

Textual Amendments

- F1** Words in s. 25(4)(a) substituted (19.5.2022 for specified purposes) by [Domestic Abuse Act 2021](#) (c. 17), **ss. 62(3)**, 90(6); S.I. 2022/553, **regs. 1(2)**, 2(1)(a)
- F2** Words in s. 25(4)(a) inserted (6.4.2013) by [The Trafficking People for Exploitation Regulations 2013](#) (S.I. 2013/554), **reg. 1(b)**, **Sch. para. 3**
- F3** Words in s. 25(4)(a) substituted (31.7.2015) by [Modern Slavery Act 2015](#) (c. 30), **ss. 46(3)**, 61(1); S.I. 2015/1476, **reg. 2(e)** (with **regs. 3, 6, 8**)

Modifications etc. (not altering text)

- C1** S. 25(1)-(3) applied (with modifications) (31.10.2009) by [The Youth Justice and Criminal Evidence Act 1999 \(Application to Service Courts\) Order 2009](#) (S.I. 2009/2083), **arts. 1, 3, 4**
- C2** S. 25(4) applied (with modifications) (31.10.2009) by [The Youth Justice and Criminal Evidence Act 1999 \(Application to Service Courts\) Order 2009](#) (S.I. 2009/2083), **arts. 1, 3, 4**
- C3** S. 25(5) applied (with modifications) (31.10.2009) by [The Youth Justice and Criminal Evidence Act 1999 \(Application to Service Courts\) Order 2009](#) (S.I. 2009/2083), **arts. 1, 3, 4**

Commencement Information

- II** S. 25 wholly in force at 24.7.2002; Pt. II Chs. 1-4 (ss. 16-52) in force for certain purposes at Royal Assent, see s. 68(4); s. 25 jn force in so far as not already in force at 24.7.2002 by [S.I. 2002/1739](#), **art. 2(a)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33BA33BB inserted by [2009 c. 25 s. 104\(1\)](#)