



Criminal Evidence (Witness Anonymity) Act 2008

2008 CHAPTER 15

Supplementary

12 Interpretation

(1) In this Act—

“court” means—

- (a) in relation to England and Wales, a magistrates' court, the Crown Court or the criminal division of the Court of Appeal;
- (b) in relation to Northern Ireland, a magistrates' court, the Crown Court, a county court exercising its criminal jurisdiction or the Court of Appeal in Northern Ireland; or
- (c) a service court;

“criminal proceedings” means—

- (a) in relation to a court within paragraph (a) or (b) above, criminal proceedings consisting of a trial or other hearing at which evidence falls to be given;
- (b) in relation to a service court, proceedings in respect of a service offence consisting of a trial or other hearing at which evidence falls to be given;

“the defendant”, in relation to any criminal proceedings, means any person charged with an offence to which the proceedings relate (whether or not convicted);

“prosecutor” means an individual or body charged with duties to conduct criminal prosecutions;

“service court” has the meaning given by subsection (2);

“service offence” has the meaning given by subsection (3);

“witness”, in relation to any criminal proceedings, means any person called, or proposed to be called, to give evidence at the trial or hearing in question;

“witness anonymity order” has the meaning given by section 2.

Changes to legislation: There are currently no known outstanding effects for the Criminal Evidence (Witness Anonymity) Act 2008, Cross Heading: Supplementary. (See end of Document for details)

- (2) In this Act “service court” means—
- (a) a court-martial constituted under the Army Act 1955 (3 & 4 Eliz. 2 c. 18), the Air Force Act 1955 (3 & 4 Eliz. 2 c. 19) or the Naval Discipline Act 1957 (c. 53) or the Court Martial established by the Armed Forces Act 2006 (c. 52);
 - (b) the Summary Appeal Court established by any of those Acts;
 - (c) a Standing Civilian Court established under the Armed Forces Act 1976 (c. 52) or the Service Civilian Court established by the Armed Forces Act 2006; or
 - (d) the Courts-Martial Appeal Court or the Court Martial Appeal Court.
- (3) In this Act “service offence” means—
- (a) any offence against any provision of Part 2 of the Army Act 1955, Part 2 of the Air Force Act 1955 or Part 1 of the Naval Discipline Act 1957; or
 - (b) any offence under Part 1 of the Armed Forces Act 2006.

13 Commencement

This Act comes into force on the day on which it is passed.

^{F1}14 Expiry of power to make witness anonymity orders

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Textual Amendments

- F1** S. 14 repealed (1.1.2010) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 96, 182(3)(a), [Sch. 23 Pt. 3](#) (with [s. 180](#))

15 Short title and extent

- (1) This Act may be cited as the Criminal Evidence (Witness Anonymity) Act 2008.
- (2) Subject to subsection (3), this Act extends to England and Wales and Northern Ireland.
- (3) The service courts provisions of this Act extend to England and Wales, Scotland and Northern Ireland; and in section 384 of the Armed Forces Act 2006 (c. 52) (extent to Channel Islands etc.) any reference to that Act includes a reference to the service courts provisions of this Act.
- (4) In subsection (3) “the service courts provisions of this Act” means the provisions of this Act so far as having effect in relation to service courts.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Evidence (Witness Anonymity) Act 2008, Cross Heading: Supplementary.