
STATUTORY INSTRUMENTS

1997 No. 172

The Standing Civilian Courts Order 1997

PART IV

PROCEDURE AT THE HEARING

Evidence through television link

60.—(1) Any application by the prosecutor or an accused for leave under section 32 of the Criminal Justice Act 1988⁽¹⁾ for evidence to be given by a witness through a live television link shall be made as soon as is practicable after the opening of proceedings.

(2) An application may not be made under paragraph (1) above without the leave of the court unless not less than 28 days before the date appointed for the trial the party making the application has served a notice in writing on every other party, the court administration officer and the magistrate stating—

- (a) the grounds of the application;
- (b) the name of the witness;
- (c) where the witness is under the age of 18, the date of birth of the witness;
- (d) the country and place where it is proposed the witness will be when giving evidence; and
- (e) the name, occupation and relationship to the witness of any person proposed to accompany the witness and the grounds for believing that person should accompany the witness.

(3) Where the court gives leave for a witness under the age of 14 to give evidence through a live television link, the witness shall be accompanied by a person acceptable to the court and, unless the court otherwise directs, by no other person.

(1) 1988 c. 33; section 32(1)–(3) applies to proceedings before Standing Civilian Courts by virtue of the Criminal Justice Act 1988 (Application to Service Courts) (Evidence) Order 1996 (S.I.1996/2592) subject to the modifications specified therein.