

*These notes relate to the Vulnerable Witnesses (Criminal Evidence)  
(Scotland) Act 2019 (asp 8) which received Royal Assent on 13 June 2019*

# **VULNERABLE WITNESSES (CRIMINAL EVIDENCE) (SCOTLAND) ACT 2019**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### ***Reporting requirement***

#### ***Section 9 – Report on operation of sections 1 and 5***

50. **Section 9** requires the Scottish Ministers to review and report on the operation of section 1 (pre-recording evidence in advance of the trial) and section 5 (ground rules hearings). The review period is the period of 3 years beginning with the first day on which section 1 is brought into force for any purpose. The report must be laid before the Scottish Parliament and published as soon as practicable after the end of the review period.
51. In the report, the Scottish Ministers must evaluate whether the introduction of the new rule on pre-recording evidence and the introduction of ground rules hearings have helped witnesses participate in the criminal justice system. They must set out the next steps they intend to take for commencing the pre-recording rule, including any intention to make regulations to extend the rule to adult deemed vulnerable witnesses such as complainers in sexual offence or domestic abuse cases. The report must also include certain quantitative data relating to the new rule on pre-recording evidence, such as the number of witnesses it has applied to during the review period. In preparing the report, the Scottish Ministers must consult key stakeholders.