## STATUTORY INSTRUMENTS

# 1999 No. 2789 (N.I. 8)

# The Criminal Evidence (Northern Ireland) Order 1999

- - - 12th October 1999

# THE CRIMINAL EVIDENCE (NORTHERN IRELAND) ORDER 1999

# PART I

#### **INTRODUCTORY**

- 1. Title and commencement
- 2. Interpretation
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#### Preliminary

- 4. Witnesses eligible for assistance on grounds of age or incapacity
- 5. Witnesses eligible for assistance on grounds of fear or distress about testifying
- 6. Special measures available to eligible witnesses

#### Special measures directions

- 7. Special measures direction relating to eligible witness
- 8. Further provisions about directions: general
- 9. Special provisions relating to child witnesses
- 10. Extension of provisions of Article 9 to certain witnesses over 18
- 10A Special provisions relating to sexual offences

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- 13. Evidence given in private
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- 17. Examination of witness through intermediary

#### Status: Point in time view as at 10/05/2013.

Changes to legislation: The Criminal Evidence (Northern Ireland) Order 1999 is up to date with all changes known to be in force on or before 16 May 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)

#### 18. Aids to communication

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- 19. Status of evidence given under this Part
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# USE OF LIVE LINK AND INTERMEDIARY FOR EVIDENCE OF CERTAIN ACCUSED PERSONS

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- 21BA Examination of accused through intermediary
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- 26. Defence representation for purposes of cross-examination
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- 28. Restriction on evidence or questions about complainant's sexual history
- 29. Interpretation and application of Article 28
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- 31. Competence of witnesses to give evidence
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- 33. Determining whether witness to be sworn
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# PART VI RESTRICTIONS ON USE OF EVIDENCE

- 36. Inferences from silence not permissible where no prior access to legal advice
- 37. Removal of restriction on use of evidence from computer records

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- 38. Orders
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- 40. Minor and consequential amendments, transitional provisions and repeals

#### **SCHEDULES**

— Schedule 1—Amendments

# SCHEDULE 2 — TRANSITIONAL PROVISIONS AND SAVINGS

— Interpretation (1) (1) In this Schedule— "the 1989 Order" means the Police and Criminal Evidence...

# Interpretation

1. (1) In this Schedule— "the 1989 Order" means the Police and Criminal Evidence (Northern Ireland)...

# Special measures under Part II

2. (1) A special measures direction may be given in relation to a witness in continuing...

Protection of witnesses from cross-examination by accused in person

3. Nothing in Part III applies in relation to proceedings instituted before the commencement date for...

Protection of complainants in proceedings for sexual offences

4. (1) Nothing in Part IV applies in relation to continuing proceedings in which leave has...

# Competence of witnesses and capacity to be sworn

5. Nothing in Part V applies in relation to proceedings instituted before the commencement date for...

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# Inferences from silence

6. The amendments made by Article 36— (a) apply only to proceedings instituted on or after...

— Schedule 3—Repeals

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