



# Law Reform (Miscellaneous Provisions) (Scotland) Act 1990

## 1990 CHAPTER 40

### PART IV

#### MISCELLANEOUS REFORMS

##### *Evidence by children in criminal trials*

#### **56 Evidence of children through television link in criminal proceedings**

- (1) Subject to subsections (2) and (3) below, where a child has been cited to give evidence in a trial, the court may, on an application being made to it, authorise the giving of evidence by the child by means of a live television link.
- (2) The court may grant an application under subsection (1) above only on cause shown having regard in particular to—
  - (a) the possible effect on the child if required to give evidence, no such application having been granted; and
  - (b) whether it is likely that the child would be better able to give evidence if such application were granted.
- (3) In considering whether to grant an application under subsection (1) above, the court may take into account, where appropriate, any of the following—
  - (a) the age and maturity of the child;
  - (b) the nature of the alleged offence;
  - (c) the nature of the evidence which the child is likely to be called on to give; and
  - (d) the relationship, if any, between the child and the accused.