

These notes refer to the Youth Justice and Criminal Evidence Act 1999 (c.23) which received Royal Assent on 27 July 1999

YOUTH JUSTICE AND CRIMINAL EVIDENCE ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part II: Giving of evidence or information for purposes of criminal proceedings

Chapter I: Special Measures directions in case of vulnerable or intimidated witnesses

Section 31: Status of evidence given under Chapter I

129. This section provides that evidence given using any of the special measures in this Act - for example, by video recording, or through an intermediary - shall be treated as if it was given orally in court in the usual way. This means that it will have the same status as it would have if it were actually given orally in court.
130. This section also provides that, if an adult who would normally give sworn evidence gives unsworn evidence by means of a video recording, it will be admissible at trial. However, such witnesses would be able to swear an oath or make a solemn affirmation if someone authorised to administer the oath or affirmation were present at the time of the recording.