



Youth Justice and Criminal Evidence Act 1999

1999 CHAPTER 23

PART II

GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

CHAPTER II

PROTECTION OF WITNESSES FROM CROSS-EXAMINATION BY ACCUSED IN PERSON

Cross-examination on behalf of accused

39 Warning to jury.

- (1) Where on a trial on indictment an accused is prevented from cross-examining a witness in person by virtue of section 34, 35 or 36, the judge must give the jury such warning (if any) as the judge considers necessary to ensure that the accused is not prejudiced—
 - (a) by any inferences that might be drawn from the fact that the accused has been prevented from cross-examining the witness in person;
 - (b) where the witness has been cross-examined by a legal representative appointed under section 38(4), by the fact that the cross-examination was carried out by such a legal representative and not by a person acting as the accused's own legal representative.
- (2) Subsection (8)(a) of section 38 applies for the purposes of this section as it applies for the purposes of section 38.

Status: Point in time view as at 27/07/1999. This version of this provision has been superseded.

Changes to legislation: Youth Justice and Criminal Evidence Act 1999, Section 39 is up to date with all changes known to be in force on or before 20 July 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)

Commencement Information

- II** S. 39 wholly in force at 4.9.2000; Pt. II Chs. 1-4 (ss. 16-52) in force for certain purposes at Royal Assent, see s. 68(4); s. 39 in force at 4.9.2000 by [S.I. 2000/2091](#), **art. 2(d)**

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