



Crime (International Co-operation) Act 2003

2003 CHAPTER 32

PART 1

MUTUAL ASSISTANCE IN CRIMINAL MATTERS

CHAPTER 3

HEARING EVIDENCE THROUGH TELEVISION LINKS OR BY TELEPHONE

29 Hearing witnesses abroad through television links

- (1) The Secretary of State may by order provide for section 32(1A) of the Criminal Justice Act 1988 (c. 33) or Article 81(1A) of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I.12)) (proceedings in which evidence may be given through television link) to apply to any further description of criminal proceedings, or to all criminal proceedings.
- (2) The Scottish Ministers may by order provide for section 273(1) of the Criminal Procedure (Scotland) Act 1995 (c. 46) (proceedings in which evidence may be given through television link) to apply to any further description of criminal proceedings, or to all criminal proceedings.

Commencement Information

- II** S. 29 in force at 26.4.2004 by [S.I. 2004/786](#), [art. 3](#)

30 Hearing witnesses in the UK through television links

- (1) This section applies where the Secretary of State receives a request, from an authority mentioned in subsection (2) (“the external authority”), for a person in the United

Status: Point in time view as at 04/04/2005.

Changes to legislation: Crime (International Co-operation) Act 2003, Chapter 3 is up to date with all changes known to be in force on or before 11 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)

Kingdom to give evidence through a live television link in criminal proceedings before a court in a country outside the United Kingdom.

Criminal proceedings include any proceedings on an appeal before a court against a decision in administrative proceedings.

- (2) The authority referred to in subsection (1) is the authority in that country which appears to the Secretary of State to have the function of making requests of the kind to which this section applies.
- (3) Unless he considers it inappropriate to do so, the Secretary of State must by notice in writing nominate a court in the United Kingdom where the witness may be heard in the proceedings in question through a live television link.
- (4) Anything done by the witness in the presence of the nominated court which, if it were done in proceedings before the court, would constitute contempt of court is to be treated for that purpose as done in proceedings before the court.
- (5) Any statement made on oath by a witness giving evidence in pursuance of this section is to be treated for the purposes of—
 - (a) section 1 of the Perjury Act 1911 (c. 6),
 - (b) Article 3 of the Perjury (Northern Ireland) Order 1979 (S.I. 1979/ 1714 (N.I. 19)),
 - (c) sections 44 to 46 of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39) or, in relation to Scotland, any matter pertaining to the common law crime of perjury,
 as made in proceedings before the nominated court.
- (6) Part 1 of Schedule 2 (evidence given by television link) is to have effect.
- (7) Subject to subsections (4) and (5) and the provisions of that Schedule, evidence given pursuant to this section is not to be treated for any purpose as evidence given in proceedings in the United Kingdom.
- (8) In relation to Scotland, references in this section and Part 1 of Schedule 2 to the Secretary of State are to be read as references to the Lord Advocate.

Commencement Information

I2 [S. 30](#) in force at 26.4.2004 by [S.I. 2004/786](#), [art. 3](#)

31 Hearing witnesses in the UK by telephone

- (1) This section applies where the Secretary of State receives a request, from an authority mentioned in subsection (2) (“the external authority”) in a participating country, for a person in the United Kingdom to give evidence by telephone in criminal proceedings before a court in that country.

Criminal proceedings include any proceedings on an appeal before a court against a decision in administrative proceedings.

- (2) The authority referred to in subsection (1) is the authority in that country which appears to the Secretary of State to have the function of making requests of the kind to which this section applies.

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- (3) A request under subsection (1) must—
 - (a) specify the court in the participating country,
 - (b) give the name and address of the witness,
 - (c) state that the witness is willing to give evidence by telephone in the proceedings before that court.
- (4) Unless he considers it inappropriate to do so, the Secretary of State must by notice in writing nominate a court in the United Kingdom where the witness may be heard in the proceedings in question by telephone.
- (5) Anything done by the witness in the presence of the nominated court which, if it were done in proceedings before the court, would constitute contempt of court is to be treated for that purpose as done in proceedings before the court.
- (6) Any statement made on oath by a witness giving evidence in pursuance of this section is to be treated for the purposes of—
 - (a) section 1 of the Perjury Act 1911 (c. 6),
 - (b) Article 3 of the Perjury (Northern Ireland) Order 1979 (S.I. 1979/ 1714 (N.I. 19)),
 - (c) sections 44 to 46 of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39) or, in relation to Scotland, any matter pertaining to the common law crime of perjury,as made in proceedings before the nominated court.
- (7) Part 2 of Schedule 2 (evidence given by telephone link) is to have effect.
- (8) Subject to subsections (5) and (6) and the provisions of that Schedule, evidence given in pursuance of this section is not to be treated for any purpose as evidence given in proceedings in the United Kingdom.
- (9) In relation to Scotland, references in this section to the Secretary of State are to be read as references to the Lord Advocate.

Commencement Information

I3 S. 31 in force at 26.4.2004 by S.I. 2004/786, art. 3

Status:

Point in time view as at 04/04/2005.

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