
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 29

SPECIAL MEASURES DIRECTIONS

Application for special measures direction for witness to give evidence by means of a live television link

29.6.—(1) Where the application for a special measures direction is made, in accordance with rule 29.1(2)(a), for a witness to give evidence by means of a live link, the following provisions of this rule shall also apply.

(2) A party who seeks to oppose an application for a child witness to give evidence by means of a live link must, in order to comply with rule 29.1(5), state why in his view the giving of a special measures direction would not be likely to maximise the quality of the witness's evidence.

(3) However, paragraph (2) does not apply in relation to a child witness in need of special protection.

(4) Where a special measures direction is made enabling a witness to give evidence by means of a live link, the witness shall be accompanied at the live link only by persons acceptable to the court.

(5) If the special measures directions combine provisions for a witness to give evidence by means of a live link with provision for the examination of the witness to be conducted through an intermediary, the witness shall be accompanied at the live link only by—

- (a) the intermediary; and
- (b) such other persons as may be acceptable to the court.

[Note. Formerly rule 7 of the Magistrates' Courts (Special Measures Directions) Rules 2002 and rule 7 of the Crown Court (Special Measures Directions and Directions Prohibiting Cross-examination) Rules 2002. As to the provision of support for witnesses giving evidence by live television link see also direction III.29 in the Practice Direction.]