

SCHEDULE

Regulation 5

Amendments to the Youth Justice and Criminal Evidence Act 1999

1. The Youth Justice and Criminal Evidence Act 1999 is amended as set out in paragraphs 2 to 5.
2. In section 17(4) (witnesses eligible for assistance on grounds of fear or distress about testifying), after “sexual offence” insert “or an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004”.
3. In section 25(4)(a) (evidence given in private) after “sexual offence” insert “or an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004”.
4. In section 33 (interpretation etc of Chapter I), after subsection (4) insert—
 - “(5) For the purposes of this Chapter as it applies in relation to a witness who is the complainant in respect of a human trafficking offence, where the age of the witness is uncertain and there are reasons to believe that the witness is under the age of 18, that witness is presumed to be under the age of 18.
 - (6) In subsection (5) “human trafficking offence” means—
 - (a) an offence under section 59A of the Sexual Offences Act 2003;
 - (b) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.”.
5. In section 65 (general supplementary provisions), after subsection (3) insert—

“(4) Subsection (3) is subject to section 33(5) of this Act.”.
6. The reference to an offence under section 59A of the Sexual Offences Act 2003 in section 33(6) of the Youth Justice and Criminal Evidence Act 1999 (as inserted by paragraph 4 of this Schedule) includes a reference to an offence under any of sections 57 to 59 of the Sexual Offences Act 2003.