Dr Phillip Lee MP
Parliamentary Under-Secretary
of State for Justice

Mr Bob Neill MP
Justice Select Committee
House of Commons
London
SW1A 0AA

2.2 November 2017

SUPPORT FOR WITNESSES GIVING EVIDENCE – SECTION 28 OF THE YOUTH JUSTICE AND CRIMINAL EVIDENCE ACT 1999

I am writing to update you on the work being done to help vulnerable and intimidated witnesses to give their evidence to the court.

We want to make sure vulnerable and intimidated witnesses can give their best evidence and help reduce the stress they face during live cross examination.

To support this we commenced pre-trial cross examination (Section 28 of the Youth Justice and Criminal Evidence Act 1999), for vulnerable witnesses, under 16 year olds, and those lacking mental or physical capacity in Leeds, Liverpool and Kingston upon Thames, Crown Court Centres in December 2013. This was extended to under 18 year olds in January 2017, and will be rolled out in Crown Courts in England and Wales for all vulnerable witnesses in a phased approach. We also plan to test s.28 for intimidated witnesses who are the victims of sexual offences and modern slavery offences in Leeds, Liverpool and Kingston upon Thames Crown Court centres.

It was initially intended that both these phases would be rolled out in the autumn of 2017. Unfortunately, that has been delayed. In the testing of the upgraded technology that will record and playback the cross examination, some quality issues have arisen. I want to ensure that all these are completely resolved before we go ahead. It is essential that we have confidence we can deliver effective pre recordings in order to provide reassurance to those witnesses who may benefit from this measure that they will not have to face the accused in court.

This will ensure that we offer the most vulnerable witnesses who come through the court system the best support we can.

[Signature]

Dr Phillip Lee MP

T 020 3334 3555  E https://contact-moj.ds...
F 0870 761 7753     www.gov.uk/moj

102 Petty France
London
SW1H 9AJ