



Youth Justice and Criminal Evidence Act 1999

1999 CHAPTER 23

PART II

GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

CHAPTER VII

GENERAL

63 General interpretation etc. of Part II.

(1) In this Part (except where the context otherwise requires)—

“accused”, in relation to any criminal proceedings, means any person charged with an offence to which the proceedings relate (whether or not he has been convicted);

“the complainant”, in relation to any offence (or alleged offence), means a person against or in relation to whom the offence was (or is alleged to have been) committed;

“court” (except in Chapter IV or V or subsection (2)) means a magistrates’ court, the Crown Court or the criminal division of the Court of Appeal;

“legal representative” means [^{F1}a person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which constitutes the exercise of a right of audience or the conduct of litigation (within the meaning of that Act);]

“picture” includes a likeness however produced;

“the prosecutor” means any person acting as prosecutor, whether an individual or body;

“publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large

Changes to legislation: Youth Justice and Criminal Evidence Act 1999, Section 63 is up to date with all changes known to be in force on or before 21 April 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) View outstanding changes

or any section of the public (and for this purpose every relevant programme shall be taken to be so addressed), but does not include an indictment or other document prepared for use in particular legal proceedings;

“relevant programme” means a programme included in a programme service, within the meaning of the ^{M1}Broadcasting Act 1990;

“service court” means—

- (a) [^{F2}the Court Martial;
- (b) the Service Civilian Court; or
- (c) the Court Martial Appeal Court]

“video recording” means any recording, on any medium, from which a moving image may by any means be produced, and includes the accompanying sound-track;

“witness”, in relation to any criminal proceedings, means any person called, or proposed to be called, to give evidence in the proceedings.

- (2) Nothing in this Part shall affect any power of a court to exclude evidence at its discretion (whether by preventing questions being put or otherwise) which is exercisable apart from this Part.

Textual Amendments

- F1** Words in s. 63(1) substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\), s. 211\(2\), Sch. 21 para. 132](#) (with [ss. 29, 192, 193](#)); [S.I. 2009/3250, art. 2\(h\)](#)
- F2** Words in s. 63(1) substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\), s. 383\(2\), Sch. 16 para. 159](#); [S.I. 2009/812, art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167, art. 4](#)

Modifications etc. (not altering text)

- C1** S. 63 applied (with modifications) (31.10.2009) by [The Youth Justice and Criminal Evidence Act 1999 \(Application to Service Courts\) Order 2009 \(S.I. 2009/2083\), arts. 1, 11, 12](#)
- C2** S. 63 applied (with modifications) (31.10.2009) by [The Court Martial Appeal Court \(Evidence\) Order 2009 \(S.I. 2009/2569\), arts. 1, 5](#)

Marginal Citations

- M1** [1990 c. 42.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33BA33BB inserted by [2009 c. 25 s. 104\(1\)](#)