
STATUTORY INSTRUMENTS

1997 No. 171

The Courts-Martial (Royal Air Force) Rules 1997

PART V

PROCEEDINGS AT COURT-MARTIAL

Evidence through television link

60.—(1) Any application by the prosecutor or an accused for leave under section 32 of the Criminal Justice Act 1988⁽¹⁾ for evidence to be given by a witness through a live television link shall be made as soon as is practicable after the commencement of the trial.

(2) An application may not be made under paragraph (1) above without the leave of the judge advocate unless not less than 28 days before the date appointed for the trial the party making the application has served a notice in the form set out in Schedule 2 to these Rules on every other party, the court administration officer and the Judge Advocate General (or his deputy) stating—

- (a) the grounds of the application;
- (b) the name of the witness;
- (c) where the witness is under the age of 18, the date of birth of the witness;
- (d) the country and place where it is proposed the witness will be when giving evidence; and
- (e) the name, occupation and relationship to the witness of any person proposed to accompany the witness and the grounds for believing that person should accompany the witness.

(3) Where the court gives leave for a witness under the age of 14 to give evidence through a live television link, the witness shall be accompanied by a person acceptable to the court and, unless the court otherwise directs, by no other person.

(1) 1988 c. 33; section 32(1)—(3) applies to proceedings before courts-martial by virtue of the Criminal Justice Act 1988 (Application to Service Courts) (Evidence) Order 1996 (SI.I. 1996/2592) subject to the modifications specified therein.