
STATUTORY INSTRUMENTS

2023 No. 100

**The Youth Justice and Criminal Evidence Act
1999 (Commencement No. 30) Order 2023**

Provision coming into force on 1st February 2023

2.—(1) In so far as it is not already in force, section 28 of the Act⁽¹⁾ (video recorded cross-examination or re-examination) comes into force on 1st February 2023, in relation to relevant proceedings.

(2) Proceedings are relevant for the purposes of paragraph (1) if—

- (a) the proceedings take place before the Crown Court sitting at a place in England and Wales determined in accordance with section 78(3) of the Senior Courts Act 1981⁽²⁾, and
- (b) the witness is eligible for assistance by virtue of—
 - (i) section 16 of the Act⁽³⁾ (witnesses eligible for assistance on grounds of age or incapacity), or
 - (ii) section 17(4) of the Act⁽⁴⁾ (complainants in respect of a sexual offence or a modern slavery offence who are witnesses in proceedings relating to that offence, or that offence and any other offences).

⁽¹⁾ Section 28 was amended by paragraph 384(c) of Schedule 8 to the Courts Act 2003 (c. 39).

⁽²⁾ Section 78 was amended by paragraph 134 of Schedule 4 to the Constitutional Reform Act 2005 (c. 4).

⁽³⁾ Section 16 was amended by section 98(2) of the Coroners and Justice Act 2009 (c. 25).

⁽⁴⁾ Section 17(4) was amended by section 46(2) of the Modern Slavery Act 2015 (c. 30) and sections 90(6) and section 62(1) and (2)(b) of the Domestic Abuse Act 2021 (c. 17) and S.I. 2013/554.