

# Victims' Code of Practice

## Special measures

Vulnerable and/or intimidated victims (and witnesses) are eligible for special measures to assist them in giving evidence.

### Vulnerable victim:

- ◆ Under 18 years of age at the time of the offence.
- ◆ Quality of evidence diminished through:
  - significant impairment of social function and intelligence
  - mental disorder
  - physical disability

### Intimidated victim:

Quality of evidence diminished through:

- ◆ fear and distress of testifying
- ◆ behaviour of defendant
- ◆ nature and circumstances of offences



- ◆ age
- ◆ religious or political beliefs
- ◆ domestic or employment circumstances
- ◆ social or cultural circumstances
- ◆ victims of domestic abuse/sexual offences/trafficking
- ◆ victims of gun/knife crime

### Special measures available

- ◆ Video-recorded evidence in chief.
- ◆ Removal of wigs and gowns.
- ◆ Screens.
- ◆ Examination via an intermediary.
- ◆ Live link.
- ◆ Use of communication aids.
- ◆ Evidence in private.
- ◆ Pre-recorded cross-examination and re-examination.

### Remember

- ◆ Consider an intermediary from the outset for evidence collection and trial.
- ◆ Following application, the court will decide which special measures are used.