



Note: 331/16

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations in New York presents its compliments to the Office of Legal Affairs of the United Nations and has the honour to refer to the Office of Legal Affairs' Note LA/COD/50/1 and General Assembly resolution 70/114 of 14 December 2015, entitled "Criminal accountability of United Nations officials and experts on mission". With apologies for the delay, the Permanent Mission encloses information pursuant to operative paragraphs 21 and 24 of resolution 70/114 regarding implementation of the resolution.

The United Kingdom Mission to the United Nations in New York avails itself of this opportunity to renew to the Office of Legal Affairs the assurances of its highest consideration.



United Kingdom Mission to the United Nations

02 September 2016

United Kingdom of Great Britain and Northern Ireland

Criminal Accountability of United Nations officials and experts of missions

Information pursuant to General Assembly resolution 70/114, operative paragraphs 21 and 24

The United Kingdom has established procedures in place regarding the provision of mutual legal assistance and extradition in relation to requests from other States, pursuant to the United Kingdom's national and international obligations. Further information can be found at:

- <https://www.gov.uk/guidance/mutual-legal-assistance-mla-requests>; and
- <https://www.gov.uk/guidance/extradition-processes-and-review>

The United Kingdom also has national laws and policies in place in the three United Kingdom criminal law jurisdictions (England and Wales; Northern Ireland; and Scotland) relating to the effective protection of victims and witnesses who provide information in relation to crimes of a serious nature committed by any individual. Further information can be found at:

- [http://www.cps.gov.uk/legal/v to z/witness protection and anonymity/](http://www.cps.gov.uk/legal/v%20to%20z/witness%20protection%20and%20anonymity/) (England & Wales)
- <http://www.ppsni.gov.uk/Code-for-Prosecutors-5017.html> (Northern Ireland)
- <http://www.ppsni.gov.uk/Victims-and-Witnesses-5016.html> (Northern Ireland)
- <http://www.crownoffice.gov.uk/publications/victims-and-witnesses> (Scotland).

As regards the protection of vulnerable witnesses, in Scotland, the Criminal Procedure (Scotland) Act 1995 (the 1995 Act) was amended by the Vulnerable Witnesses (Scotland) Act 2004 to provide:

'A person is a vulnerable witness if:

(1) the witness is under the age of sixteen on the date of commencement of the proceedings in which the trial is being or is to be held ('child witness');

(2) where he or she is not a child there is a significant risk that the quality of his evidence will be diminished by reason of mental disorder or fear or distress in connection with giving evidence at the trial'

Such vulnerable witnesses can have special measures implemented for a trial including the taking evidence on commission, the use of television links, the use of screens, the use of a supporter, and the use of prior statements.

Also in Scotland, the Criminal Justice and Licensing (Scotland) Act 2010 amended the 1995 Act in order to provide for the use of witness anonymity orders. Under that process, on the application of either the prosecutor or the accused, a court may make an order requiring such specified measures to be taken in relation to a witness in criminal proceedings as the court considers appropriate to ensure that the identity of the witness is not disclosed in or in connection with the proceedings. Measures may include allowing the witness's name to be withheld, allowing the witness to use a pseudonym, preventing the witness from being asked questions of a specified description, arranging for the witness to be screened or arranging for the witness's voice to be subjected to modulation.