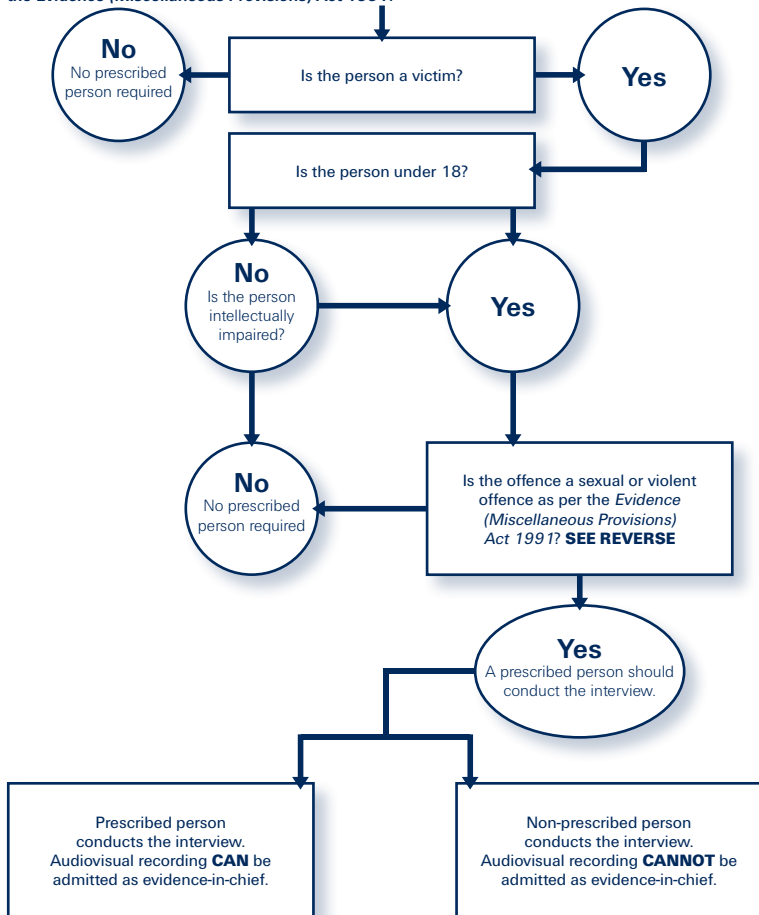


Interviewing vulnerable witnesses

When should evidence-in-chief interviews be conducted by a prescribed person in accordance with the *Evidence (Miscellaneous Provisions) Act 1991*?



37 Definitions - Part 4:

A violent offence means a less serious or a serious violent offence.

Less serious violent offence means an offence against any of the following provisions of the *Crimes Act 1900*:

- section 21 (1) (Wounding)
- section 22 (Assault with intent to commit certain indictable offences)
- section 23 (1) (Inflicting actual bodily harm)
- section 24 (1) (Assault occasioning actual bodily harm)
- section 25 (Causing grievous bodily harm)
- section 26 (Common assault)
- section 28 (Acts endangering health etc)
- section 29 (4) and (5) (Culpable driving of motor vehicle)
- section 31 (Threat to inflict grievous bodily harm)
- section 35 (Stalking)
- section 37 (Abduction of young person)
- section 41 (Exposing or abandoning child)

Serious violent offence means:

(a) An offence against any of the following provisions of the *Crimes Act 1900*:

- section 12 (Murder)
- section 15 (Manslaughter)
- section 19 (Intentionally inflicting grievous bodily harm)
- section 20 (Recklessly inflicting grievous bodily harm)
- section 21 (2) (Wounding)
- section 23 (2) (Inflicting actual bodily harm)
- section 24 (2) (Assault occasioning actual bodily harm)
- section 27 (Acts endangering life etc)
- section 29 (2) and (3) (Culpable driving of motor vehicle)
- section 30 (Threat to kill)
- section 32 (Demands accompanied by threats)
- section 34 (Forcible confinement)
- section 36 (Torture)
- section 38 (Kidnapping)
- section 40 (Unlawfully taking child etc)
- section 42 (Child destruction)
- section 43 (Childbirth—grievous bodily harm)

(b) An offence against any of the following provisions of the Criminal Code 2002:

- section 309 (Robbery)
- section 310 (Aggravated robbery)

Sexual offence means an offence against the *Crimes Act 1900*, part 3 (Sexual offences), part 4 (Female genital mutilation) or part 5 (Sexual servitude).

Note: A reference to an offence against a territory law includes a reference to a related ancillary offence, e.g. attempt (see *Legislation Act 189*).