

Special measures

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Special measures

The thought of giving evidence can be stressful and scary. You may be eligible for extra support in court to help you feel more at ease and to give your best evidence.

'Special measures' are things the court can provide or do to make your experience of giving evidence as comfortable as possible.

Witnesses who are vulnerable or intimidated can ask for special measures. It's important to know special measures are not given automatically to adult witnesses.

Vulnerable and intimidated witnesses

You're a **vulnerable** witness if you:

- are a young person aged under 18
- have a physical or mental condition or disability which could affect your ability to give your evidence.

Important: Not all disabled people are considered to be, or identify as, vulnerable witnesses. Special measures are also not the same as reasonable adjustments which are broader changes to the court environment, rather than the court process.

You may be an **intimidated** witness if you're:

- so frightened or distressed about giving evidence in court that the quality of your evidence will be affected
- a relative bereaved by homicide (murder or manslaughter)
- a victim-survivor of crimes including:
 - sexual offences
 - domestic abuse
 - hate crime
 - modern slavery
 - terrorism
- a victim of or witness to a crime involving weapons such as knives or guns.
- **If you're a prosecution witness**, you'll need to discuss applying for special measures with the Witness Care Unit or the police officer in charge of your case. The Crown Prosecution Service (CPS) will need to apply to the court to request the special measures you think would help you to give your best evidence.
- **If you're a defence witness**, you'll need to discuss applying for special measures with the defence lawyer. The defence legal team will need to apply to the court to request special measures.

The judge or magistrate will decide what special measures can be granted based on the information provided in the application.



Image Description: Photo of three people's hands over a desk with various paperwork on it, giving a sense of collaboration and support.

The different special measures available

Video-recorded interview (VRI)

The police may take a video recording of your account of what happened, rather than taking a written statement. This can also be called your 'evidence-in-chief' or 'achieving best evidence' interview (ABE). This would be played on the TV screens in court during the trial.

You may hear the VRI referred to as a [section 27](#). This is just the section of the law about giving evidence under this special measure.

Video-recorded cross-examination or re-examination

If you're a prosecution witness, the prosecution lawyer will ask you questions first. After that, the defence lawyer will question you – this is called **cross-examination**.

If you're a defence witness, you'll be questioned first by the defence lawyer, then cross-examined by the prosecution lawyer.

Any follow-up questions asked by the first lawyer who spoke to you is called **re-examination**

This can be video recorded under this special measure, meaning you do not have to attend the trial in person at all if you've also had a video-recorded interview. This is played on the TV screens in court during the trial.

It's likely you'll hear this referred to as a section 28. This is just the section of the law about giving evidence under this special measure.

The use of screens in court

Screens or curtains can be put around you in the witness box. The defendant will not be able to see you, and you will not be able to see them, while you're giving evidence or being cross-examined in the courtroom.

You may hear this referred to as a section 23.

Live video link

You may be able to give your evidence from another room in the court building, or another room elsewhere, rather than having to enter the courtroom. You sit in front of what looks like a TV with a microphone. There's a video-recording device, like a webcam, so you can be seen live in the courtroom.

All members of the court see you giving evidence on the TV screens in the courtroom, but you only see the person speaking to you. For example, the judge or lawyer.

You may hear this referred to as a section 24.

The lawyer can apply to shield or screen the television monitors from the defendant's view to stop them seeing you giving your evidence. This is called a combined special measures application, or 'screening the screen'.

Removal of wigs and gowns

The judge and lawyers in court may remove their traditional wigs and gowns so the courtroom feels less formal and daunting.

You may hear this referred to as a section 26.

Evidence given in private

Courts are public buildings, which means members of the public and press can usually watch court hearings. Under this special measure, the courtroom may be cleared of anyone who does not legally need to be there so you can give evidence in private.

You may hear this referred to as a [section 25](#).

Use of an intermediary

An intermediary is a person who can help a witness to communicate. They can help to explain – or ask the court to rephrase – language or questions you do not understand to help you give your best evidence.

You may hear this referred to as a [section 29](#).

Aids to communication

Communication aids can include things like visual aid boards, eye gaze software, dolls or body-outline drawings.

You may hear this referred to as a [section 30](#).

A combination of special measures can be used and your views about your needs should always be considered.

You can watch [video guides that explain special measures](#) on the CPS website.