

**64. Practice Direction No 9 of 2009 – Special Hearings**

It has come to the attention of the Judges that, prior to special hearings, it is not uncommon for counsel not to view the audio-visual record of an interview conducted with a child complainant or other child witness which the prosecution intends to tender as part of the evidence-in-chief of the witness. For the purposes of special hearings and trials commencing on or after 30 November 2009:

- (1) All counsel will be expected to have viewed the entirety of any audio-visual record of an interview with a child complainant or other child witness upon which the prosecution intends to rely not less than three (3) days prior to the commencement of the special hearing or trial.
- (2) If any counsel wishes to be absolved of this responsibility, an application for a direction to that effect by the presiding Judge should be made not less than seven (7) days prior to the commencement of the special hearing or trial.

5 November 2009