

Protected Witnesses: s 5 *Criminal Law (Sexual Offences) Act 1978*

Where application is made pursuant to ss 5(1)(e), (f), (g) or (h) for a person to be present:

I order that during the evidence of (name of complainant), all persons other than [those referred to in s 5(1) of the *Criminal Law (Sexual Offences) Act 1978*] and (full name or names of additional persons) be excluded from the courtroom.¹

¹ Where a complainant is also a special witness within s 21A *Evidence Act 1977*, whether expressly declared to be so or not, the jury must be directed in accordance with s 21A(8). However if orders are made solely on the basis of s 5 *Criminal Law (Sexual Offenders) Act 1978* no such directions are necessary. Nevertheless, the interests of justice in the circumstances of the case may warrant a warning to the jury: *R v Samson* [\[2011\] QCA 112](#) at [39]-[41].