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Subject: Media Release-BEST PRACTICES TOOLKIT ON THE CROSS-EXAMINATION OF
VULNERABLE WITNESSES
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Media Release – THE LAW SOCIETY OF SINGAPORE INTRODUCES A BEST PRACTICES TOOLKIT ON THE CROSS-EXAMINATION OF VULNERABLE WITNESSES
29 August 2018

The Law Society of Singapore has prepared a Best Practices Toolkit on the cross-examination of vulnerable witnesses, outlining what legal practitioners may wish to bear in mind when handling the cross-examination of child witnesses and complainants of sexual offences. The Toolkit has undergone several revisions in consultation with civil, criminal and family law practitioners since December last year.

The Toolkit acknowledges that, *“[a]s a key stakeholder in the administration of justice, a legal practitioner conducting cross-examination faces the challenge of balancing an advocate’s twin duties of ensuring that an accused person is given a fair trial by invoking the right to challenge and examine witnesses, and discharging the advocate’s duty to elicit the best evidence for the Court.”*

During his speech at the Opening of the Legal Year on 8 January 2018, the President of the Law Society, Mr Gregory Vijayendran, stated that:

“The nuance and sensitivity to vulnerable witnesses is in the interests of gaining the best evidence from them and in the interests of the administration of justice. This should not detract from an advocate discharging duties to a client or vigorously advancing a rationalizable case theory in a given case without fear or favour. These guidelines will also serve as a toolkit for younger advocates to gain appropriate pointers on cross-examination of such witnesses.”

Indeed, practitioners will find the general tips contained in the Toolkit helpful when preparing to cross-examine a child witness or complainant of a sexual offence. In drafting the Toolkit, the Law Society has been mindful of being overly prescriptive, having taken on board the concerns of lawyers consulted. As such, the Toolkit expressly states that the general tips *“are not meant to be prescriptive, nor exhaustive on how to approach the cross-examination of vulnerable witnesses, which should be left to the discretion of counsel.”*

Following the launch of this Toolkit, a second Toolkit on the cross-examination of the elderly and the mentally incapacitated is expected to be launched at a later date.

For access to the Toolkit, please click [here](#).

Regards

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