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WITNESS PROTECTION: A COMPARATIVE STUDY AMONG USA, UK, FRANCE, AND INDIA

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I. ABSTRACT

“Whenever a man commits a crime, heaven finds a witness”

- Edward G. Bulwer

The above statement shows the importance of witness in any criminal justice system. The role of witness in the criminal justice administration is extremely inevitable especially in an adversarial system where the burden of proof is on the prosecution and the prosecution depends on the witness and their statements. There are instances where witnesses had turned hostile and refused to help in finding the guilty of the accused person resulting in the acquittal of the accused who may have been guilty of charges. This poses threat to society because the question arises why witness has turned hostile or why they had not come forward in the first place to give evidence and perform their sacred duty of helping the justice system.

When a person is to testify against a criminal particularly those having political, financial and man power to cause harm, they fear for their well-being and fail to fulfil their ethical duty to support the truth. Thus, the governments across the world recognised the need to protect witness to ensure the delivery of justice and enacted witness protection programmes. The study of witness protection programs in the US, UK, France, and India reveals significant differences in structures, implementation, and effectiveness, despite varying protection and resource allocation. This article highlights the development of witness protection programmes in United States, United Kingdom, France, and India.

II. KEYWORDS:

Witness, USA, UK, France, India, Witness Protection Program

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III. INTRODUCTION

“Witnesses are the eyes and ears of justice” - Bentham

Right from the time of institution of justice system, the three basic principle of justice is to reveal, confirm and establish the truth. It cannot be performed without a witness and his statement. When the fight is against an organised crime group, the chances of threat, intimidation and attack are comparatively high. Therefore, the government has duty protect the interest of witness who help the prosecution in revealing the truth and guilt of the accused, ultimately helping the society. victims and witnesses are crucial for fair and speedy trial of any cases whatsoever. The court and government have legal obligation to ensure the balance and provide for protective shelter to witness, informant, and whistle blowers.

Thus, Supreme court observed that “A criminal case is built on the edifice of evidence, evidence that is admissible in law. For that, witnesses are required whether it is direct evidence or circumstantial evidence”² The testimony of the witness enables the court to analysis the facts and merits of the case and finally deciding the guilt of the accused. The quality of the witnesses becomes important as they may lead to acquittal of the guilty person or conviction of an innocent. The quality of witness statement has effect on the speedy and fair trial to a great extent. it can be concluded that successful functioning of a criminal justice administration is placed on the shoulder of the individual who are willing to give evidence irrespective of fear or threat. Even though, most of the world countries recognised the importance of witness in a trial, the efforts made to ensure their safety is not worth mentioning.

A study in Bronx County, New York, found that 36% of witnesses were directly threatened, while 57% feared reprisals among those not directly threatened³. In the 2013/14 survey, 9% of UK witnesses reported intimidation in crimes, while less than 2% experienced harassment or intimidation. Especially in India, the witnesses face many hurdles in their way to provide their support to the prosecution to prove the

² *Swaran Singh v. State of Punjab* AIR (2000) 5 SCC 68

³ *Witness Intimidation.* (2022). ASU Center for Problem-Oriented Policing. <https://popcenter.asu.edu/content/witness-intimidation-0>

guilt of the accused. Witnesses have turned hostile or been killed in several high-profile cases, such as the Asharam Bapu and Jessica Lal cases.⁴

Most of the witnesses are those who have no personal interest in the case but decide to deliver their duty towards the justice system and give evidence. But they undergo ill treatment of law enforcement agencies, repeated court visits, loss of time, loss of work and, they face the wrath of the accused party also. These problems push the witness behind and fail to speak up. Turning hostile is becoming a trend and affects the effective delivery of justice. "A witness in court is not given due respect... After waiting all day, he discovers that the subject has been postponed. And when he does show there, he gets into a precarious scenario after becoming the target of unrestricted questioning and cross-examination. One detests becoming a witness for these and other reasons."⁵, Wadhwa. J observed.

IV. TYPES OF WITNESS

- **Interested witness-** when a person wants the offender to be behind the bar for the crime he has committed and willingly provides necessary information to the court can be termed as interested witness. The Hon'ble Supreme Court defined 'interested witness' as someone who has a direct or indirect interest in the accused who has been convicted due to animus or any other oblique reason⁶.
- **Chance witness-** when person accidentally becomes witness of a crime scene or had seen the crime being committed unintentionally can be called as chance witness. The court tried to give distinction between chance witness and natural witness. Even though the statement given by the chance witness is reliable they need to be corroborated before trusting them.⁷
- **Stock Witness-** stock can be understood as something kept hidden so that can be used for future. When there is no witness on prosecution, stock witness is

⁵ *ibid*

⁶ *State of Haryana v Shakuntal AIR 2007 SC 2709*

⁷ *Namdeo v State of Maharashtra 2007 AIR SCW 1835*

presented however, the court tries not to rely on such witness. In the case of *Ramesh Kumar v. State of Himachal Pradesh*⁸, Justice RL Khurana noted that the accused was imprisoned for ten years under the Narcotic Drugs and Psychotropic Substances Act 1985, and that if he failed to pay a fine of Rs. One lakh, he would be sentenced to an additional year of imprisonment. During the case's inquiry and trial, only stock witnesses testified; independent witnesses did not present. The appeal was denied because the accused did not produce any proof, and in the absence of any evidence, it was not possible to establish the credibility of the police officers' stock testimony.

- **Eye Witness**- persons who have seen the crime being committed with their own eyes. Generally stranger or relative can be an eyewitness. When the testimony is corroborated with other evidence, there is no hurdle in admitting them. In the *Pratap Chauhan v. Ram Naik*⁹ case, the Supreme Court ruled that an eyewitness's testimony should not be disregarded, and that careful consideration should be given to the witness's testimony. The court additionally ruled that slight changes cannot be used as justification for rejecting an eyewitness' evidence.
- **Related witness**- when a relative of the person is called in to be witness, they are called as relative witness, and their statement cannot be discarded or rejected neither it can be said it is biased. Testimony of relative witness are appreciated only after strict scrutiny. The simple fact that the husband took or appeared on behalf of the wife's evidence, which was admitted into evidence against him in the Court of Session without any opposition. The IEA's bar is removed by Section 122¹⁰.
- **Material Witness**- A witness is considered significant if they discuss any facts or related topics that are relevant to the lawsuit or prosecution. Parties' chances of victory are hampered when material witnesses in civil trials are not fully analysed. A clear acquittal of the guilty may result from the pursuit's inability

⁸ 1984 CRILJ 1056

⁹ AIR 2001 SC 164

¹⁰ *Bishan das v state of Punjab* 1961 AIR 1570

to analyse the material witness in criminal proceedings. People involved in the issue had to be called as witnesses in civil cases since it is required to analyse those testimonies. A material witness is an observer related to the litigation's subject matter; it does not imply any information about the parties.

- **Official Witness-** An individual who is a member of the police force and provides testimony in court is regarded as an official witness. The individual in charge provides testimony in support of the prosecution, which is why they are referred to as official witnesses. It is argued that a police witness's testimony should not be disregarded just because they are members of the force and may be biased in favour of the prosecution to strengthen their case. Their trustworthiness is therefore unquestionable. There is no harm in allowing the witness' testimony if it is corroborated by other evidence, and the court must thoroughly question the witness in accordance with the law.
- **Child Witness-** A kid's evidence will be taken into consideration if the court finds that he can provide reasonable testimony related to any matter and that he is intellectually capable of doing so. In court, any youngster who can speak reasonably well can testify.

In the case of *Algupandi v State of Tamil Nadu*¹¹, the court declared that although a kid is regarded as a qualified witness, their testimony must be reasonable, legitimate, and supported by further case evidence. Accepting the kid witness's evidence does not pose any risks.

Witness protection needs vary based on their type, requiring adaptive measures like re-identification and relocation for civilians and specialized security protocols for law enforcement and experts. These strategies are tailored to each category's unique risks and circumstances, ensuring safety and integrity of the judicial process. These strategies are essential for maximizing protection and minimizing vulnerabilities.

¹¹ AIR 2012 SC 2405

V. PROTECTION PROGRAMME OF USA

American criminal justice system found it to be difficult in proving the guilt of the accused in organized crime activities due to the fear of the witness in coming forward to provide valuable testimony. Before any formal legislation relating to witness protection, if the court has reasons to believe that the testimony of the person is reliable, competent, and important, the court offered protection to such person. If the person who gives testimony is a fellow prisoner with the accused, the court provided protection in imprisonment.

The first instance of such can be noted in 1970s when Joseph Valachi agreed to give testimony against Boss of Mafia Genovese Family. He insisted to make his own meals due to the fear being poisoned. Since the US Justice Department is aware of the potential consequences of violating "the silence code," one of the fundamental guidelines of criminal organisations, protection programmes are formally outlined in the Organised Crime Control Act of 1970. Thus, they established WPP as a part of Organized Crime Control Act,1970. However, the Witness Protection Program introduced by the Organized Crime Control Act,1970 was not systematic and non-comprehensive. More than a decade later, the US Code introduced a precise witness protection legislation, The Witness Security Reforms Act,1984. This program includes relocation of witness, protection of witness identity and such protection is given to the near relatives of witness as well.

A. Key features of US Witness Protection Programme:

- The Attorney General can offer protection to a witness or potential witness in a judicial proceeding involving organized criminal activity or serious offences if they are likely to be involved in a violence-related offences or similar offence. They can also protection for the witness's immediate family or other relatives if they are endangered.
- The Attorney General is required to provide guidelines outlining the appropriate cases for which the Attorney General's authority would be utilized.

- The United States and its officers and employees are not liable for any civil liability arising from their decision to provide or not to provide protection.
- In connection with the protection provided to a witness or potential witness, immediate family member, or close associate of a witness or potential witness, the Attorney General shall take whatever action he deems necessary to ensure the person involved's safety and well-being, including their psychological well-being and social adjustment, as well as to protect them bodily harm for as long as he deems fit.
- Attorney General creates a new identity to protect them and does the necessary paperwork. The Attorney general is responsible for providing protection to individuals including transportation of personal property, payment for basic living expense, employment assistance and self-sustaining services. They may not disclose the identity or location of the person, unless it is necessary for the program's effectiveness and public benefit. They may disclose information to law enforcement officials if the person is under investigation for a punishable offense or a violent crime. They must protect the confidentiality of convicted offenders and exempt procurement for services, materials, and supplies.
- The Attorney General must maintain an accurate criminal history system to provide this information. In determining whether to remove a person, the Attorney General must consider the gravity of inquiry as well as any possible risks to persons or property in the neighbourhood. They must balance the threat to public against the necessity of the witness testifying. Various accounts are taken into considerations, such as individual's criminal history, available substitutes, possible sources of comparable evidences, the significance of the testimony, the outcomes of the psychological influence on the child's connection.
- The Attorney General must establish a memorandum of understanding with a person before providing protection. This understanding outlines the person's responsibilities, including testimony, not committing crimes, complying with legal obligations co-operating with the government officer and employees,

designating another agent for service of process, making a sworn statement of outstanding legal obligations, disclosing probation or parole responsibilities, consenting to Federal supervision under section 3522 and regularly informing program officials. The memorandum also outlines the protection provided and procedures for breach, including filing and resolution of grievances regarding program administration.

B. Eligibility for the witness protection program¹²

A witness may be considered for acceptance into the Witness Security Program if they are an essential witness in a specific case of the following types:

1. Any offense defined in Title 18, United States Code, Section 1961(1) (organized crime and racketeering);
2. Any drug trafficking offense described in Title 21, United States Code;
3. Any other serious Federal felony for which a witness may provide testimony that may subject the witness to retaliation by violence or threats of violence;
4. Any State offense that is similar in nature to those set forth above; and
5. Certain civil and administrative proceedings in which testimony given by a witness may place the safety of that witness in jeopardy.

However, the witness security reform act, 1984 aimed to protect witnesses from infringement on their fundamental rights such as privacy and personal autonomy. Many protected witnesses have criminal records, leading to cases tried under the federal torts claims act. Sammy Bull Gravano, a witness who testified under federal protection, was shielded from civil process servers. A special committee should scrutinize decisions and monitor participants, regardless of their desire to leave.

Since its inception in 1971, the Witness Protection Program in the United States has been a success story, protecting around 19,000 witnesses and their families from retaliation. The program, managed by the U.S. Marshals Service, has provided comprehensive safety measures such as new identities, relocation, and ongoing

¹² Justice Manual Title 9 – 21.100

support for living expenses and employment. However, the program faces challenges such as an increasing number of witnesses needing protection compared to available resources, staffing reductions, and ethical concerns about the psychological toll on participants. The psychological toll of severing ties with previous lives can lead to feelings of isolation and anxiety. Some witnesses have struggled to adapt to their new identities, with reports of breaches of program rules compromising their safety. These challenges require continuous evaluation and adaptation of the program to ensure its effectiveness in protecting those who risk their lives to provide critical testimony against organized crime and other major threats.

VI. PROTECTION PROGRAM UNDER UK LEGISLATION

There were no systematic regulations regarding collection of evidence for prosecution. Under such circumstances, testimony of witness plays a pivotal role in judicial proceedings. In 2005, the law relating witness, and their testimony came to an end with passing of Serious Organised Crime and Police Act. This step taken by United Kingdom reversed the age long European-continental criminal procedure system and adopted adversarial criminal procedure. Chapter IV of the Serious Organised Crime and Police Act deals with protection of those participants who had agreed to provide testimony before the court of law. the essence of the programs correlates with that of US protection programme. The need for better legislation on witness protection was recognised during 2010 to 2015s coalition government and resulted in the passing of first UK wide witness protection service as UK Protected Persons Service.

A. Key feature of UK protection program:

- The person who avails protection is categorised as an accomplice in crime or member of a criminal organization committed serious act of crime.
- The decision on whether the said person is to be included into protection program is made by the Head of UK Protected Persons service, formed as a part of NCA with consultation of Attorney General.
- Protection for individuals is tailored to the level of threat and involves removing them from a threat area to a safe location.

- Regional protected persons units work discreetly to maintain secrecy and rebuild lives in the new area. They treat people fairly, honestly, and professionally, and have dealt with thousands of cases in the last 20 years.
- The UKPPS processes personal information to perform its functions and ensures the safety of those in their care. The operation is discreet and requires cooperation from those responsible.

B. Additional Protections:

The Children and Young Persons Act 1933(CJPA 1933) provides for automatic reporting restrictions for those under 18 who are defendants or witnesses in the criminal proceedings in the youth court and appeals from the youth court. These restrictions will lapse once the person in question reaches the age of 18 but can be resisted by the prosecutors relying on Section 45A YJCEA 1999, which provides discretionary lifelong reporting restrictions for victims and witness who are under 18 when the proceedings commence.

The Sexual offences (Amendment) Act, 1992 creates an automatic prohibition on the publication of details that identify a victim of rape or other sexual offences, and there is a similar provision in respect of victims of female genital mutilation under schedule 1 to the Female Genital Mutilation Act 2003. There are also automatic reporting restrictions on certain pre-trial hearings, but these restrictions generally only last till the conclusion of the trials.

Prosecutors should obtain information about whether a reporting restriction is sought by a victim or witness and ensure that is made clear to potentially eligible witness that reporting restrictions are not an anomaly provisions and that unless relevant special measures are granted, those present in court will be able to see and hear the witness in court and reference will be made to them by name.

Courts have common law power to restrict public access to courtrooms and hear part or all a trial in private, only when necessary to avoid frustration or impracticality in administration of justice¹³. For example, controlling disorder, national security, or

¹³ AG v Levenson Magazine [1979] AC 440

protecting witness. The court can make these restrictions either on application or on its own initiative. Courts also have the power to withhold the name and address a witness from public, such as in case like blackmail.

Section 86 of the Coroners and Justice Act, 2009 mandates measures to prevent a witness's identity from being disclosed in criminal proceedings. These measures may include withholding their name, using a pseudonym, screening, modifying their voice, or not asking questions that might identify them. As the Court of Appeal stated in *R v Mayers and others*¹⁴ and emphasised in *R v Donovan and Kafunda*¹⁵, "A witness anonymity order is to be regarded as a special measure of the last practicable resort."

VII. WITNESS PROTECTION UNDER FRENCH LEGISLATION:

The Council of Europe is an important European institution that supports democracy, human rights, and the rule of law. Through legislative changes and the harmonisation of French law with international norms, the Council of Europe's proposals have had a substantial impact on the French legal system.

Article 706-57 to 706-63, Title XXI of the French criminal procedure code discusses about the witness protection. The council of Europe (CoE) has recommended witness protection in its recommendations. They outline basic definitions and principles for guiding policy and legislation. They address vulnerable witnesses and terrorism related crimes. Both recommendations emphasize the need to balance procedural protection with defence rights. The European Court of Human Rights has extensively analysed this issue, stating that the right to fair trial cannot be sacrificed to evasion, but considers measures like physical separation and anonymous testimony¹⁶.

A. Key features of French legislation regarding witness Protection:

- In case of a crime punishable by at least three years imprisonment, the liberty and detention judge may authorise the taking of statements without the person's identity appearing in the case file. This decision is not subject to appeal

¹⁴ [2008] EWCA Crim 2989

¹⁵ [2012] EWCA Crim 2749

¹⁶ *Kostovski v the Netherlands* App. No. 1145/85

and is subject to provisions of Article 706-60. The decision is attached to the witness's hearing record, which does not bear the person's signature. The identity of the person and address is entered in the judicial court register.

- The identity or address of a witness who has been benefitted from Article 706-57 or 706-58 cannot be revealed except in cases subjected to Article 706-60 and revealing it is punishable by imprisonment and a fine.
- Article 706-58 does not apply if the identity of the person is essential for defence rights. The person under the investigation can contest the procedure within ten days of being informed of the hearing. The president of indictment chamber will rule and if justified, the hearing will be cancelled. The judge may also order the witness's identity to be disclosed.
- Article 706-58 allows for remote witness hearing or examination by a lawyer using a technical device. The witness's voice is rendered unidentifiable through appropriate technical processes. If the additional information is requested, the witness is heard by an investigating judge or a court member using technical device.
- In case of a felony or misdemeanour punishable by at least three years imprisonment, the investigating judge or trial court president may order the confidentiality of a witness's identity during public hearings and in orders, judgment. The decision is not appealable, and the witness is designated by a number assigned by the judge or trial court president. Releasing the witness's identification or location is punishable by five years' imprisonment and a fine of €75,000.
- In cases where a person's life or physical integrity is at risk during proceedings involving crimes or misdemeanours, they may be subject to protective measures. If necessary, the President of the Judicial Court may authorize the use of an assumed identity, but it cannot be used for a hearing. Disclosure of this identity can result in five years of imprisonment and a €75,000 fine. Penalties increase to seven years and €100,000 for violence and €150,000 for death. The national commission, at the public prosecutor's request, defines

protective measures and can modify or terminate them at any time. Family members and relatives may also be subject to protective measures.

- The council of states decree will specify the conditions for the application of the provisions of the title XXI as needed.

VIII. WITNESS PROTECTION IN INDIA

The Supreme Court approved the Witness Protection Scheme 2018, allowing witnesses to testify freely and truthfully. The scheme will be enacted immediately in all states and will be the law of the land under Article 141 and 142 of the Indian Constitution. States and Union Territories are requested to establish vulnerable witness deposition complexes. Supreme court has held that the Right of Witnesses to testify freely in courts as a part of Article 21 of the Constitution of India.

Religious leader Asumal Sirumalani Harpalani, also referred to by his followers as Ashram Babu, was found guilty of rape by the Rajasthan High Court. Three witnesses died while the cases were pending in court, while other witnesses suffered threats or attacks. When the Supreme Court was considering a Public Interest Litigation (PIL) application asking for witness protection in Ashram Babu rape cases, the topic of discussion arose. Law Commission papers and court rulings having long stressed the importance of witness protection.

Witness protection schemes have been advocated by reports such as the Malimath Committee Report, and in *State of Gujarat v Anirudh Singh*¹⁷. When a major crime is committed by someone who is wealthy, powerful, or prominent and the victims or witnesses come from a community that is marginalised in both social and economic spheres, they are more vulnerable. Girls and women who disclose sexual abuse are frequently much more vulnerable, and the accuser may put them under tremendous strain or even threaten them directly.

Witnesses must also feel comfortable coming forward to support the prosecution and law enforcement. They must have confidence that they will be looked for and protected. Ad hoc measures used up to now, such as setting aside a small number of

¹⁷ AIR 1997 SC 2780

courtrooms specifically for vulnerable witnesses- mostly child victims and hiding the identities of witnesses in anti-terrorism cases, haven't worked to stop witnesses. Therefore, it is now urgently necessary to take legislative action to emphasise the ban on tempering with witnesses.

India's Witness Protection Scheme 2018 is the first of its kind, aimed at providing protection to witnesses. The scheme, finalized in consultation with the National Legal Services Authority and Bureau of Police Research and Development, will extend to India except Jammu & Kashmir. It categorizes witnesses into three groups based on threat perception: Category A, Category B, and Category C. The scheme provides a Witness Protection Fund, funded by annual budget allocations from states and operated by the Department/Ministry of Home. The scheme requires a 'Threat Analysis Report' from the Commissioner/SSP.

The Witness Protection Order is a court-ordered protection measure passed by the competent authority, implemented by the witness Protection Cell of the State/UT. The application process involves a threat Analysis Report, which is categorised by the commissioner of police. The application can be processed within five working days. Protection measures include police escorts, temporary residences, new identities and regular patrols.

The Witness Protection Programme aims to provide suitable and sufficient protection for the witnesses. With the help of this plan, witnesses who are in danger or who are vulnerable will receive assistance and confidence to provide information that would help bring about justice. Better protection would come from having features like a camera trial, close physical protection, anonymised witness references and testimony and record keeping of witnesses. Additionally, it will fortify the nation's criminal justice system, which will improve the national security scenario.

The scheme for witness protection will provide financial and logistic difficulties. The plan will be financed by the donations and state financial support, in accordance with the Law Commission's suggestion. It is necessary to undergo an identity change without compromising the witness's property, professional or educational rights. The apex court suggested to refrain from doubting the credentials of witness

indiscriminately as the court observed that there would hardly be a witness whose evidence does not contain some amount of exaggeration or embellishment with due deliberation and sometimes because of the over anxiety to do better from the witness box. Even after minor variation if no perusal of the evidence in its entirety, it appears to be otherwise trustworthy, question of the evidence being non-trustworthy would not arise.¹⁸

The following action was recommended by the V. S. Malimath Committee to address the witness's hostility:

1. Conducting procedures behind closed doors
2. Taking steps to protect the identity of witnesses
3. Selecting to guarantee their safety
4. They ought to get fair compensation for the money they spent on lodging and travel.
5. Witness comfort, convenience, and dignity should be guaranteed when they are
6. Since India lacks a legislation of this kind, one should be passed to protect witnesses.
7. The national and state security commissions' respective constitutional provisions.

While guaranteeing the safety of witnesses is the primary objective of any nation's witness protection program, different methods are taken in terms of their legal frameworks, efficacy, and particular protective measures. The American program is notable for its all-encompassing assistance and high success rates, but the Indian program exhibits persistent difficulties that require more development in order to attain successful witness protection. Both the UK and France have benefits in terms of flexibility and legal protections, but they also have resource-related issues that affect their overall effectiveness. It will be crucial to continuously assess and modify these

¹⁸ *Sukhdev Yadav v state of Bihar* 2001 Cri LJ 80

programs in order to address the changing needs of witness protection in these countries.

IX. CONCLUSION

The approaches to witness protection programs in India, the USA, the UK, and France reveal both similarities and key differences. All four countries recognize the importance of protecting witnesses to uphold justice and legal proceedings. Their frameworks, execution, and resource allocation vary widely. Similarities in approaches include the legal basis, physical and psychological protection, and tiered protection levels. The USA's WITSEC program is among the most comprehensive globally, providing extensive support, including new identities and relocation assistance, along with psychological counselling and social reintegration support.

In contrast, India's program is still developing and faces challenges in implementation, lacking robust support structures. Resource allocation for witness protection programs differs significantly. The USA has a dedicated budget and infrastructure to support WITSEC, while India struggles with limited financial resources and inconsistent enforcement of protection measures.

The UK's Protected Persons Service operates under strict guidelines and oversight to ensure transparency and accountability, a model less consistently applied in other countries like India, where political interests can hinder effective implementation. Cultural and legal traditions also influence witness protection programs. Common law vs. civil law systems affect procedural aspects of witness protection. Countries like the USA and the UK, with well-established legal frameworks, often see greater public trust in the effectiveness of witness protection programs, contrasting with India, where scepticism about the efficacy of such programs can deter witnesses from seeking protection.

In summary, while the foundational goals of witness protection programs in India, the USA, the UK, and France share commonality in seeking to safeguard witnesses, their effectiveness and implementation significantly vary across these nations. Continued international collaboration and adaptation of best practices will be essential for optimizing these programs globally. Effective witness protection is

crucial for detecting and suppressing organized crime without causing difficulties in ascertaining the truth or compromising the defence of the accused. It is not about ascertaining the truth at any cost, especially not at the expense of a witness's life. The responsibility of witness protection extends to society, particularly State bodies. Effective witness protection requires sensitivity, mutual consideration, trust, imagination, and discernment, with money not playing a significant role.