



Criminal Procedure (Attendance of Witnesses) Act 1965

1965 CHAPTER 69

^{F1} Other provisions

4 Further process to secure attendance of witness.

- (1) If a judge of the [^{F1}Crown Court] is satisfied by evidence on oath that a witness in respect of whom a ^{F2} . . . witness summons is in force is unlikely to comply with the ^{F2} . . . summons, the judge may issue a warrant to arrest the witness and bring him before the court before which he is required to attend:
Provided that a warrant shall not be issued under this subsection ^{F3} . . . unless the judge is satisfied by such evidence as aforesaid that the witness is likely to be able to give [^{F4}evidence likely to be] material evidence or produce any document or thing likely to be material evidence in the proceedings.
- (2) Where a witness who is required to attend before [^{F5}the Crown Court] by virtue of ^{F6} . . . a witness summons fails to attend in compliance with the ^{F6} . . . summons, that court may—
 - (a) in any case, cause to be served on him a notice requiring him to attend the court forthwith or at such time as may be specified in the notice;
 - (b) if the court is satisfied that there are reasonable grounds for believing that he has failed to attend without just excuse, or if he has failed to comply with a notice under paragraph (a) above, issue a warrant to arrest him and bring him before the court.
- (3) A witness brought before a court in pursuance of a warrant under this section may be remanded by that court in custody or on bail (with or without sureties) until such time as the court may appoint for receiving his evidence or dealing with him under section 3 of this Act; and where a witness attends a court in pursuance of a notice under this section the court may direct that the notice shall have effect as if it required him to attend at any later time appointed by the court for receiving his evidence or dealing with him as aforesaid.

Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Attendance of Witnesses) Act 1965, Section 4. (See end of Document for details)

Textual Amendments

- F1** Words in s. 4(1) substituted (4.7.1996 with effect as mentioned in S.I. 1999/716, **art. 2**) by 1996 c. 25, **s. 67** (with s 78(1)); S.I. 1999/716, **art. 2**
- F2** Words in s. 4(1) repealed (4.7.1996) by 1996 c. 25, **ss. 65(2)(b)**, (4), 80, Sch. 5 para. 2 (with s 78(1)); S.I. 1997/683, **art. 1**
- F3** Words in s. 4(1) proviso. repealed (4.7.1996) by 1996 c. 25, **ss. 65(2)(c)**, (4), 80, Sch. 5 para. 2 (with s 78(1)); S.I. 1997/683, **art. 1**
- F4** Words in s. 4(1) inserted (4.7.1996) by 1996 c. 25, **s. 66(5)(7)** (with s 78(1))
- F5** Words substituted by Courts Act 1971 (c. 23 Sch. 8 para. 45(4))
- F6** Words in s. 4(2) repealed (4.7.1996) by 1996 c. 25, **s. 65(2)(d)**, (4), 80, Sch. 5 para. 2 (with s 78(1)); S.I. 1997/683, **art. 1**

Modifications etc. (not altering text)

- C1** S. 4 amended by Courts Act 1971 (c. 23), **Sch. 8 para. 45(3)**

Changes to legislation:

There are currently no known outstanding effects for the Criminal Procedure (Attendance of Witnesses) Act 1965, Section 4.