



Criminal Justice Act 1987

1987 CHAPTER 38

PART I

FRAUD

Preparatory hearings

[^{F1}10] **Later stages of trial.**

- (1) Any party may depart from the case he disclosed in pursuance of a requirement imposed under section 9 above.
- (2) Where—
 - (a) a party departs from the case he disclosed in pursuance of a requirement imposed under section 9 above, or
 - (b) a party fails to comply with such a requirement,the judge or, with the leave of the judge, any other party may make such comment as appears to the judge or the other party (as the case may be) to be appropriate and the jury [^{F2}or, in the case of a trial without a jury, the judge] may draw such inference as appears proper.
- (3) In [^{F3}doing anything under subsection (2) above or in deciding whether to do anything under it] the judge shall have regard—
 - (a) to the extent of the departure or failure, and
 - (b) to whether there is any justification for it.
- (4) [^{F4}Except as provided by this section, in the case of a trial with a jury] no part—
 - (a) of a statement given under section 9(5) above, or
 - (b) of any other information relating to the case for the accused or, if there is more than one, the case for any of them, which was given in pursuance of a requirement imposed under section 9 above,may be disclosed at a stage in the trial after the jury have been sworn without the consent of the accused concerned.]

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1987, Section 10. (See end of Document for details)

Textual Amendments

- F1** S. 10 substituted (4.7.1996 with application (15.4.1997) as mentioned in Sch. 3 para. 8 of the amending Act) by 1996 c. 25, s. 72, Sch. 3 para. 5; S.I. 1997/1019, **art. 2**
- F2** Words in s. 10(2) inserted (24.7.2006) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 36 para. 55(2)**; S.I. 2006/1835, art. 2(h)
- F3** Words in s. 10(3) substituted (24.7.2006) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 36 para. 55(3)**; S.I. 2006/1835, art. 2(h)
- F4** Words in s. 10(4) substituted (24.7.2006) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 36 para. 55(4)**; S.I. 2006/1835, art. 2(h)

Changes to legislation:

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