



Criminal Procedure and Investigations Act 1996

1996 CHAPTER 25

PART I

DISCLOSURE

The main provisions

[^{F1}6E Disclosure by accused: further provisions

- (1) Where an accused's solicitor purports to give on behalf of the accused—
 - (a) a defence statement under section 5, 6 or 6B, or
 - (b) a statement of the kind mentioned in section 6B(4),the statement shall, unless the contrary is proved, be deemed to be given with the authority of the accused.
- (2) If it appears to the judge at a pre-trial hearing that an accused has failed to comply fully with section 5, 6B or 6C, so that there is a possibility of comment being made or inferences drawn under section 11(5), he shall warn the accused accordingly.
- (3) In subsection (2) “pre-trial hearing” has the same meaning as in Part 4 (see section 39).
- (4) The judge in a trial before a judge and jury—
 - (a) may direct that the jury be given a copy of any defence statement, and
 - (b) if he does so, may direct that it be edited so as not to include references to matters evidence of which would be inadmissible.
- (5) A direction under subsection (4)—
 - (a) may be made either of the judge's own motion or on the application of any party;

Changes to legislation: *Criminal Procedure and Investigations Act 1996, Section 6E is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (b) may be made only if the judge is of the opinion that seeing a copy of the defence statement would help the jury to understand the case or to resolve any issue in the case.
- (6) The reference in subsection (4) to a defence statement is a reference—
- (a) where the accused has given only an initial defence statement (that is, a defence statement given under section 5 or 6), to that statement;
 - (b) where he has given both an initial defence statement and an updated defence statement (that is, a defence statement given under section 6B), to the updated defence statement;
 - (c) where he has given both an initial defence statement and a statement of the kind mentioned in section 6B(4), to the initial defence statement.]

Textual Amendments

F1 S. 6E inserted (4.4.2005 for E.W. and 15.7.2005 for N.I.) by [Criminal Justice Act 2003 \(c. 44\), ss. 33\(2\), 336](#); [S.I. 2005/950, art. 2, Sch. 1](#); [S.I.2005/1817, art. 2](#)

Modifications etc. (not altering text)

C1 Pt. I power to apply (with modifications) conferred by SI 2015/1490 rule 23.2 Note (as inserted (2.4.2018) by [The Criminal Procedure \(Amendment\) Rules 2018 \(S.I. 2018/132\), rules 1, 11\(a\)\(v\)](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)