



# Criminal Cases Review Commission (Information) Act 2016

## 2016 CHAPTER 17

An Act to extend the Criminal Cases Review Commission's powers to obtain information. [12th May 2016]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### 1 Extension of powers to obtain documents and other material

(1) After section 18 of the Criminal Appeal Act 1995 insert—

#### **“18A Obtaining documents etc from those not serving in public bodies**

- (1) The Crown Court may, on an application by the Commission, order a person to give the Commission access to a document or other material that is in the person's possession or control.
- (2) The court may make an order only if it thinks that the document or other material may assist the Commission in the exercise of any of their functions.
- (3) An order under this section may include provision about the manner in which access must be given, including provision allowing the Commission to take away a document or other material or make copies.
- (4) An order under this section may direct the person against whom it is made not to destroy, damage or alter the document or other material before the direction is withdrawn by the court.
- (5) An order under this section may not be made against a person on whom the Commission could impose a requirement under section 17 (person serving in a public body).

- (6) Subsections (3) and (4) of section 17 apply for the purposes of this section as they apply for the purposes of that section.”
- (2) At the end of the heading to section 17 of that Act insert “from those serving in public bodies”.
- (3) In section 25 of that Act (restrictions on onward disclosure without consent)—
- (a) in subsection (1) after “requirement is imposed under section 17” insert “or by an order under section 18A”;
  - (b) in subsection (2)(a) after “section 17” insert “or 18A”.

## **2 Extent, commencement and short title**

- (1) This Act extends to England and Wales and Northern Ireland only.
- (2) This Act comes into force at the end of the period of two months beginning with the day on which it is passed.
- (3) This Act may be cited as the Criminal Cases Review Commission (Information) Act 2016.