
STATUTORY INSTRUMENTS

1991 No. 2737

The Naval Courts-Martial General Orders (Royal Navy) 1991

PART V

WITNESSES AND THE RECORD

Witness Summons

62. The summons referred to in section 64 of the Act⁽¹⁾ shall be served on the witness either personally or by leaving it with some person at the witness's normal place of abode.

Record of proceedings

63. –

(1) If a shorthand note has been taken it shall be transcribed by the shorthand writer and signed by him; if there is no shorthand note the notes of evidence shall be signed by the person who recorded them, or by the person who transcribed them from the mechanical record.

(2) Any such transcriptions or notes shall be certified by the judge advocate or, in his absence, by the clerk of the court.

(3) The person so certifying may first mark on them such corrections, additions and notes, to be clearly distinguished from the original, as he considers necessary.

(4) Such certified transcript or notes shall constitute the record of proceedings of the court-martial.

Documents to accompany record in navigation trials

64. In a trial where a report made under the provisions of Order 16 has been admitted in evidence all relevant documents shall be annexed to and form part of the record of the proceedings.

Exhibits

65. –

(1) Any document or thing admitted in evidence shall be made an exhibit.

(2) Each exhibit shall be marked sequentially in a series with either a number or a letter.

(3) Each exhibit shall either be signed by the clerk of the court or shall have a label attached to it bearing a number or letter and with the signature of the clerk of the court recorded on it.

(4) Each exhibit shall be attached to or kept with the record of the proceedings, unless in the opinion of the court having regard to the nature of the exhibit and for other good reason it is not expedient to attach it to or keep it with the record.

(1) Section 64 was amended by S.I.1964/488, article 2(1) and Schedule 1, Part I.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) When an exhibit is not attached to or kept with the record of the proceedings under paragraph (4) of this Order, the president shall ensure that proper steps are taken for its safe custody.

Custody of record of proceedings and exhibits during trial

66. During a trial, the record and the exhibits shall be deemed to be in the custody of the judge advocate, save when he is not present in closed court when they shall be deemed to be in the custody of the president.