
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 22

STATEMENTS OF TRUTH

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Documents to be verified by a statement of truth

22.1.—(1) The following documents must be verified by a statement of truth—

- (a) a statement of case;
- (b) a response complying with an order under rule 18.1 to provide further information; and
- (c) a witness statement.

(2) Where a statement of case is amended, the amendments must be verified by a statement of truth unless the court orders otherwise.

(Part 17 provides for amendments to statements of case)

(3) If an applicant wishes to rely on matters set out in his application notice as evidence, the application notice must be verified by a statement of truth.

(4) Subject to paragraph (5), a statement of truth is a statement that—

- (a) the party putting forward the document; or
- (b) in the case of a witness statement, the maker of the witness statement,

believes the facts stated in the document are true.

(5) If a party is conducting proceedings with a litigation friend, the statement of truth in—

- (a) a statement of case;
- (b) a response; or
- (c) an application notice,

is a statement that the litigation friend believes the facts stated in the document being verified are true.

(6) The statement of truth must be signed by—

- (a) in the case of a statement of case, a response or an application—
 - (i) the party or litigation friend; or
 - (ii) the legal representative on behalf of the party or litigation friend; and
 - (b) in the case of a witness statement, the maker of the statement.
- (7) A statement of truth which is not contained in the document which it verifies, must clearly identify that document.
- (8) A statement of truth in a statement of case may be made by—
- (a) a person who is not a party; or
 - (b) by two parties jointly,
- where this is permitted by a relevant practice direction.

Failure to verify a statement of case

- 22.2.**—(1) If a party fails to verify his statement of case by a statement of truth—
- (a) the statement of case shall remain effective unless struck out; but
 - (b) the party may not rely on the statement of case as evidence of any of the matters set out in it.
- (2) The court may strike out^(GL) a statement of case which is not verified by a statement of truth.
- (3) Any party may apply for an order under paragraph (2).

Failure to verify a witness statement

22.3 If the maker of a witness statement fails to verify the witness statement by a statement of truth the court may direct that it shall not be admissible as evidence.

Power of the court to require a document to be verified

- 22.4.**—(1) The court may order a person who has failed to verify a document in accordance with rule 22.1 to verify the document.
- (2) Any party may apply for an order under paragraph (1).