
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 27

WITNESS STATEMENTS

Right to object to evidence being read in Crown Court trial

27.2.—(1) The prosecutor shall, when he serves on any other party a copy of the evidence to be tendered in committal proceedings, notify that party that if he is committed for trial he has the right to object, by written notification to the prosecutor and the Crown Court within 14 days of being so committed unless the court in its discretion permits such an objection to be made outside that period, to a statement or deposition being read as evidence at the trial without oral evidence being given by the person who made the statement or deposition and without the opportunity to cross-examine that person.

(2) The prosecutor shall, on notifying a party as indicated in paragraph (1), send a copy of such notification to the magistrates' court officer.

(3) Any objection under paragraph 1(3)(c) or paragraph 2(3)(c) of Schedule 2 to the Criminal Procedure and Investigations Act 1996(1) to the reading out at the trial of a statement or deposition without further evidence shall be made in writing to the prosecutor and the Crown Court within 14 days of the accused being committed for trial unless the court at its discretion permits such an objection to be made outside that period.

[Note. Formerly rule 4B of the Magistrates' Courts Rules 1981 and rule 22 of the Crown Court Rules 1982(2). On the coming into force of Schedule 3 to the Criminal Justice Act 2003(3) committal for trial will be abolished and cases will be sent for trial under sections 51 and 51A of the Crime and Disorder Act 1998(4).]

(1) 1996 c. 25; Schedule 2 is repealed by the Criminal Justice Act 2003 (c. 44), Schedule 3, Part 2, paragraph 66(1), (8) and Schedule 37, Part 4, with effect from a date to be appointed.
(2) S.I. 1982/1109; amended by S.I. 1997/701; there are other amending instruments but none is relevant.
(3) 2003 c. 44.
(4) 1998 c. 37.