
STATUTORY INSTRUMENTS

2007 No. 3442

The Courts-Martial (Army) Rules 2007

PART 7

ARRAIGNMENT

Severance

42.—(1) Where—

- (a) an accused is charged with more than one offence; or
- (b) two or more accused are charged in the same charge sheet,

and the judge advocate rules that the fair trial of an accused may be prejudiced if the charges are not severed or that for any other reason it is desirable that the charges are severed, he may—

- (i) order that one or more charges shall be tried by the same court;
- (ii) order that only one or more of the accused shall be tried before the same court;
- (iii) leave any charge or any accused to be tried by a new court.

(2) Where an accused is charged in more than one charge sheet and the judge advocate rules that for any reason it is desirable that the court tries only the charge or charges set out in one charge sheet, he may leave the charge or charges set out in any other charge sheet to be tried by a new court.