
STATUTORY INSTRUMENTS

2015 No. 1490

The Criminal Procedure Rules 2015

PART 48

CONTEMPT OF COURT

CONTEMPT OF COURT BY FAILURE TO COMPLY WITH COURT ORDER, ETC.

Content of written witness statement

48.12.—(1) This rule applies to a written witness statement served under rule 48.11.

(2) Such a written witness statement must contain a declaration by the person making it that it is true to the best of that person's knowledge and belief.

[Note. By reason of sections 15 and 45 of the Senior Courts Act 1981(1), the Court of Appeal and the Crown Court each has an inherent power to imprison (for a maximum of 2 years), or fine (to an unlimited amount), or both, for contempt of court a person who, in a written witness statement to which this rule applies, makes, or causes to be made, a false statement without an honest belief in its truth. See also section 14 of the Contempt of Court Act 1981(2).]

(1) 1981 c. 54.

(2) 1981 c. 49; section 14 was amended by sections 77 and 78 of, and paragraph 60 of Schedule 14 and Schedule 16 to, the Criminal Justice Act 1982 (c. 48), section 65 of, and paragraphs 59 and 60 of Schedule 3 to, the Mental Health (Amendment) Act 1982 (c. 51), section 148 of, and paragraph 57 of Schedule 4 to, the Mental Health Act 1983 (c. 20), section 1 of the County Courts (Penalties for Contempt) Act 1983 (c. 45), section 17 of, and Parts 1 and V of Schedule 4 to, the Criminal Justice Act 1991 (c. 53), section 65 of, and paragraph 6 of Schedule 3 to, the Criminal Justice Act 1993 (c. 36), section 165 of, and paragraph 84 of Schedule 9 to, the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), section 1 of, and paragraph 19 of Schedule 1 to, the Mental Health Act 2007 (c. 12) and section 17 of, and paragraph 52 of Schedule 9 and paragraph 53 of Schedule 10 to, the Crime and Courts Act 2013 (c. 22). It is further amended by sections 6 and 149 of, and paragraph 25 of Schedule 4 and Part 1 of Schedule 28 to, the Criminal Justice and Immigration Act 2008 (c. 4), with effect from a date to be appointed.