



Criminal Justice Act 1988

1988 CHAPTER 33

PART II

DOCUMENTARY EVIDENCE IN CRIMINAL PROCEEDINGS

24 **Business etc. documents**

(1) Subject—

- (a) to subsections (3) and (4) below;
- (b) to paragraph 1A of Schedule 2 to the Criminal Appeal Act 1968; and
- (c) to section 69 of the Police and Criminal Evidence Act 1984,

a statement in a document shall be admissible in criminal proceedings as evidence of any fact of which direct oral evidence would be admissible, if the following conditions are satisfied—

- (i) the document was created or received by a person in the course of a trade, business, profession or other occupation, or as the holder of a paid or unpaid office; and
- (ii) the information contained in the document was supplied by a person (whether or not the maker of the statement) who had, or may reasonably be supposed to have had, personal knowledge of the matters dealt with.

(2) Subsection (1) above applies whether the information contained in the document was supplied directly or indirectly but, if it was supplied indirectly, only if each person through whom it was supplied received it—

- (a) in the course of a trade, business, profession or other occupation; or
- (b) as the holder of a paid or unpaid office.

(3) Subsection (1) above does not render admissible a confession made by an accused person that would not be admissible under section 76 of the Police and Criminal Evidence Act 1984.

(4) A statement prepared otherwise than in accordance with section 29 below or an order under paragraph 6 of Schedule 13 to this Act or under section 30 or 31 below for the purposes—

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- (a) of pending or contemplated criminal proceedings; or
- (b) of a criminal investigation,

shall not be admissible by virtue of subsection (1) above unless—

- (i) the requirements of one of the paragraphs of subsection (2) of section 23 above are satisfied; or
- (ii) the requirements of subsection (3) of that section are satisfied; or
- (iii) the person who made the statement cannot reasonably be expected (having regard to the time which has elapsed since he made the statement and to all the circumstances) to have any recollection of the matters dealt with in the statement.