



# Criminal Procedure and Investigations Act 1996

## 1996 CHAPTER 25

### PART I

#### DISCLOSURE

##### *The main provisions*

#### **7 Secondary disclosure by prosecutor**

- (1) This section applies where the accused gives a defence statement under section 5 or 6.
- (2) The prosecutor must—
  - (a) disclose to the accused any prosecution material which has not previously been disclosed to the accused and which might be reasonably expected to assist the accused's defence as disclosed by the defence statement given under section 5 or 6, or
  - (b) give to the accused a written statement that there is no material of a description mentioned in paragraph (a).
- (3) For the purposes of this section prosecution material is material—
  - (a) which is in the prosecutor's possession and came into his possession in connection with the case for the prosecution against the accused, or
  - (b) which, in pursuance of a code operative under Part II, he has inspected in connection with the case for the prosecution against the accused.
- (4) Subsections (3) to (5) of section 3 (method by which prosecutor discloses) apply for the purposes of this section as they apply for the purposes of that.
- (5) Material must not be disclosed under this section to the extent that the court, on an application by the prosecutor, concludes it is not in the public interest to disclose it and orders accordingly.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Material must not be disclosed under this section to the extent that—
- (a) it has been intercepted in obedience to a warrant issued under section 2 of the Interception of Communications Act 1985, or
  - (b) it indicates that such a warrant has been issued or that material has been intercepted in obedience to such a warrant.
- (7) The prosecutor must act under this section during the period which, by virtue of section 12, is the relevant period for this section.