
STATUTORY INSTRUMENTS

2008 No. 635

**The Criminal Procedure and Investigations Act
1996 (Application to the Armed Forces) Order 2008**

Confidentiality of disclosed information

18.—(1) If the accused is given or allowed to inspect a document or other object under—

- (a) article 3, 4, 12 or 16, or
- (b) an order under article 13,

then, subject to paragraphs (2) to (4), he must not use or disclose it or any information recorded in it.

(2) The accused may use or disclose the object or information—

- (a) in connection with the proceedings for whose purposes he was given the object or allowed to inspect it,
- (b) with a view to the taking of further proceedings before a service court or a civilian court with regard to the matter giving rise to the proceedings mentioned in subparagraph (a), or
- (c) in connection with the further proceedings referred to in subparagraph (b).

(3) The accused may use or disclose—

- (a) the object to the extent that it has been displayed to the public in open court, or
- (b) the information to the extent that it has been communicated to the public in open court;

but the preceding provisions of this paragraph do not apply if the object is displayed or the information is communicated in proceedings to deal with a contempt of court under article 19.

(4) If—

- (a) the accused applies to a judicial officer for an order granting permission to use or disclose the object or information, and
- (b) a judicial officer makes such an order,

the accused may use or disclose the object or information for the purpose and to the extent specified by the judicial officer.

(5) An application under paragraph (4) may be made and dealt with at any time, and in particular after the accused has been acquitted or convicted or the prosecutor has decided not to proceed with the case concerned.

(6) Where—

- (a) an application is made under paragraph (4), and
- (b) the prosecutor or a person claiming to have an interest in the object or information applies to be heard by the judicial officer,

the judicial officer must not make an order granting permission unless the person applying under subparagraph (b) has been given an opportunity to be heard.