
STATUTORY INSTRUMENTS

2009 No. 1209

DEFENCE

The Armed Forces (Service Civilian Court) Rules 2009

Made - - - - *7th May 2009*
Laid before Parliament *14th May 2009*
Coming into force *31st October 2009*

THE ARMED FORCES (SERVICE CIVILIAN COURT) RULES 2009

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation: proceedings and parties
3. Interpretation: general

PART 1A

THE OVERRIDING OBJECTIVE

- 3A The overriding objective
- 3B The duty of the participants in a case
- 3C The application by the court of the overriding objective

PART 2

SERVICE OF DOCUMENTS

4. Interpretation of Part 2
5. Service on a person to whom proceedings relate
6. Service on the court administration officer
7. Service on the Director
8. Service on other individuals
9. Service on a corporation
10. Service by another method
11. Service by commanding officer
12. Service by fax or electronic means
13. Date of service
14. Proof of service

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces (Service Civilian Court) Rules 2009. (See end of Document for details)

PART 3

PROCEEDINGS: GENERAL

15. The court administration officer
16. Listing of proceedings
17. Notification of proceedings
18. Live links
19. Proceedings in absence of defendant etc
20. Oaths and affirmations
21. Interpretation, translation and communication through an intermediary
- 21A Interpretation, translation for persons other than a person to whom proceedings relate
22. Record of proceedings
23. Exhibits
24. Termination of proceedings
25. Circumstances not provided for

PART 4

ASSISTANCE AND REPRESENTATION

26. Legal representatives
27. Parent or guardian of young civilian

PART 5

ARREST OF DEFENDANT

28. Arrest by service police etc before arraignment
29. Warrant for arrest by civilian police

PART 6

ADVANCE INFORMATION

30. Service of advance information
31. Information as to possibility of activation order etc

PART 7

PRELIMINARY PROCEEDINGS

32. Listing of initial preliminary proceedings
33. Listing of further preliminary proceedings
34. Preliminary proceedings in chambers without notice to defendant
35. Outline of prosecution case
36. Powers of the court at a preliminary hearing

PART 8

JOINDER, SEVERANCE AND AMENDMENT

37. Joinder of charges
38. Severance of charges
39. Severance of defendants
40. Amendment of charges
41. Consequences of exercise of powers under this Part

PART 9

CONSIDERATION OF TRIAL BY THE COURT MARTIAL

42. Consideration of trial by the Court Martial

PART 10

ARRAIGNMENT

43. Arraignment
44. Order that charge lie on the file
45. Offer of no evidence
46. Change of plea
47. Powers of Director after arraignment

PART 11

ATTENDANCE OF WITNESSES

48. Notification of witnesses
49. Issue of witness summons on application to a judge advocate
50. Application for witness summons to produce a document, etc: judge advocate's assessment of relevance and confidentiality
51. Issue of witness summons of judge advocate's own motion
52. Application to withdraw a witness summons
53. Oral applications
54. Further process to secure attendance of witness
55. Review of custody of witness
56. Entitlement to witness expenses

PART 12

EVIDENCE

CHAPTER 1

General

57. Application and interpretation of Part 12
58. Rules of evidence
59. Oral testimony to be given on oath
60. Proof by written statement
61. Proof by formal admission
62. Use of documents to refresh memory

CHAPTER 2

Evidence of bad character

63. Notice of intention to adduce evidence of a defendant's bad character
64. Application to exclude evidence of a defendant's bad character
65. Application for leave to adduce evidence of the bad character of a non-defendant

CHAPTER 3

Hearsay evidence

- 66. Notice of intention to adduce hearsay evidence
- 67. Counter-notice objecting to the admission of hearsay evidence

CHAPTER 4

Evidence of service matters

- 68. Evidence of enlistment
- 69. Evidence as to service etc
- 70. Service records
- 71. Defence Council instructions, regulations and certificates
- 72. Standing or routine orders

CHAPTER 5

Expert evidence

- 73. Expert evidence

CHAPTER 6

Special measures directions

- 74. Interpretation of Chapter 6
- 75. Witnesses eligible for assistance on grounds of age or incapacity
- 76. Witnesses eligible for assistance on grounds of fear or distress about testifying
- 77. Special measures available
- 78. Special measures direction relating to eligible witness
- 78A. Special provisions relating to a child witness
- 78B. Extension of provisions of rule 78A to certain witnesses over 18
- 79. Evidence given in private
- 80. Video recorded evidence in chief
- 80A. Video recorded cross-examination or re-examination
- 81. Examination of witness through intermediary
- 82. Application for special measures direction: general
- 83. Application for special measures direction permitting admission of video recorded evidence in chief
- 84. Variation or discharge of special measures direction

CHAPTER 7

Use of specimens in proceedings for offences relating to alcohol and drugs

- 84A. Application and interpretation
- 84B. Use of specimens
- 84C. Documentary evidence as to specimens

PART 13

TRIAL PROCEDURE

85. Opening address
86. Examination of witnesses
87. Presence of witnesses
88. Submission of no case to answer
89. The case for the defence
90. Finding of not guilty before conclusion of the defence
91. Closing addresses
92. Announcement of findings

PART 14

SENTENCING PROCEEDINGS

93. Application and interpretation of Part 14
94. Dispute on facts after plea of guilty
95. Pre-sentence report and previous convictions
96. Information before sentencing
97. Offences taken into consideration
98. Mitigation of sentence
99. Pronouncement of sentence

Part 14A

Variation Proceedings

- 99A Application of Part 14A
- 99B Interpretation of Part 14A
- 99C Power to vary sentence
- 99D Direction that variation proceedings be held
- 99E Announcement of varied sentence
- 99F Power to order offender's release from custody

PART 15

ANCILLARY PROCEEDINGS

CHAPTER 1

Community order proceedings

100. Application and interpretation of Chapter 1
101. Breach of requirements: application for summons or warrant
102. Breach of requirements: arrest under warrant
103. Review of custody
104. Revocation of order with or without re-sentencing
105. Amendment of requirements
106. Extension of unpaid work requirement

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces (Service Civilian Court) Rules 2009. (See end of Document for details)

CHAPTER 2

Other ancillary proceedings

- 107. Remission of fine
- 108. Certification of contempt of court

CHAPTER 3

Driving Disqualification Orders

- 108A Application to remove a disqualification
- 108B Information to be supplied on order for disqualification, etc.

PART 16

RESTRICTIONS ON PUBLIC ACCESS AND REPORTING

- 109. Proceedings in camera
- 110. Withholding of matter from the public in proceedings before the court

PART 17

TRANSITORY AND TRANSITIONAL PROVISIONS

- 111. Supreme Court of Northern Ireland
- 112. Transitional
Signature

SCHEDULE 1 — OATHS AND AFFIRMATIONS

The words prescribed are— (a) for witnesses, "... the evidence...

SCHEDULE 2 — TRANSITIONAL AND TRANSITORY PROVISIONS

PART 1 — GENERAL

- 1. Interpretation
 - 2. Record of Standing Civilian Court proceedings
- ##### PART 2 — STEPS TAKEN BEFORE COMMENCEMENT

- 3. Service of documents
- 4. Court administration officers
- 5. Prosecuting officers
- 6. Legal representatives
- 7. Arraignment
- 8. Directions etc

PART 3 — EVIDENCE

- 9. Proof by written statement
- 10. Evidence of enlistment or entry for service
- 11. Documents signed by or on behalf of a person's commanding officer
- 12. Special measures

PART 4 — SENTENCING

- 13. Activation of suspended sentence of imprisonment
- 14. SDA conditional discharge orders
- 15. Community supervision orders

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Explanatory Note

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