
STATUTORY INSTRUMENTS

2015 No. 1490

The Criminal Procedure Rules 2015

PART 15

DISCLOSURE

Defendant's application to use disclosed material

15.7.—(1) This rule applies where a defendant wants the court's permission to use disclosed prosecution material—

- (a) otherwise than in connection with the case in which it was disclosed; or
 - (b) beyond the extent to which it was displayed or communicated publicly at a hearing.
- (2) The defendant must serve an application on—
- (a) the court officer; and
 - (b) the prosecutor.
- (3) The application must—
- (a) specify what the defendant wants to use or disclose; and
 - (b) explain why.
- (4) The court may determine an application under this rule—
- (a) at a hearing, in public or in private; or
 - (b) without a hearing.
- (5) The court must not permit the use of such material unless—
- (a) the prosecutor has had at least 28 days in which to make representations; and
 - (b) the court is satisfied that it has been able to take adequate account of any rights of confidentiality that may apply to the material.

[Note. The court's power to allow a defendant to use disclosed material is provided for by section 17 of the Criminal Procedure and Investigations Act 1996(1).

See also section 19 of the 1996 Act.]

(1) 1996 c. 25; section 17 was amended by section 331 of, and paragraphs 20 and 33 of Schedule 36 to, the Criminal Justice Act 2003 (c. 44).