
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 31

BEHAVIOUR ORDERS

Notice of hearsay evidence

31.6.—(1) A party who wants to introduce hearsay evidence must—

- (a) serve notice on—
 - (i) the court officer, and
 - (ii) every other party directly affected; and
- (b) in that notice—
 - (i) explain that it is a notice of hearsay evidence,
 - (ii) identify that evidence,
 - (iii) identify the person who made the statement which is hearsay, or explain why if that person is not identified, and
 - (iv) explain why that person will not be called to give oral evidence.

(2) A party may serve one notice under this rule in respect of more than one notice and more than one witness.

[Note. For the time within which to serve a notice of hearsay evidence, see rule 31.3(2) to (4), rule 31.4(2) and rule 31.5(3). See also the requirement in section 2 of the Civil Evidence Act 1995 for reasonable and practicable notice of a proposal to introduce hearsay evidence.

Rules 31.6, 31.7 and 31.8 broadly correspond with rules 3, 4 and 5 of the Magistrates' Courts (Hearsay Evidence in Civil Proceedings) Rules 1999(1), which apply in civil proceedings in magistrates' courts. Rule 3 of the 1999 Rules however includes a time limit, which may be varied by the court, or a justices' legal adviser, of 21 days before the date fixed for the hearing, for service of a hearsay notice.]