
STATUTORY INSTRUMENTS

2021 No. 849

The Criminal Procedure (Amendment No. 2) Rules 2021

Amendments to the Criminal Procedure Rules

- 9.** In Part 25 (Trial and sentence in the Crown Court)—
- (a) in rule 25.11 (Evidence of a witness in person)—
 - (i) for paragraph (3) substitute—

“(3) Before the witness gives evidence—

 - (a) the party who introduces the witness’ evidence must explain how that evidence is admissible, unless it is only evidence of fact within the witness’ direct knowledge; and
 - (b) the witness must take an oath or affirm, unless other legislation otherwise provides.”; and
 - (ii) after the first paragraph of the note to the rule insert—

“Part 19 contains rules about the introduction of evidence of expert opinion. Part 20 contains rules about the introduction of hearsay evidence.”; and
 - (b) in rule 25.12 (Evidence of a witness in writing)—
 - (i) renumber paragraph (2) as (3),
 - (ii) after paragraph (1) insert—

“(2) That party must explain how the evidence is admissible unless it is—

 - (a) evidence of fact within the direct knowledge of the person who made the written statement served under rule 16.4 (Written witness statement in evidence);
 - (b) contained in an expert’s report served under rule 19.3 (Introduction of expert evidence); or
 - (c) identified as hearsay in a notice served under rule 20.2 (Notice to introduce hearsay evidence).”