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STATUTORY INSTRUMENTS

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**1997 No. 2983**

**The Civil Evidence (Northern Ireland) Order 1997**

*Safeguards in relation to hearsay evidence*

**Power to call witness for cross-examination on hearsay statement**

4.—(1) Rules of court may provide that, where a party to civil proceedings adduces hearsay evidence of a statement made by a person and does not call that person as a witness, any other party to the proceedings may, with the leave of the court, call that person as a witness and cross-examine him on the statement as if he had been called by the first-mentioned party and as if the hearsay statement were his evidence in chief.

(2) Without prejudice to any other power to adjourn proceedings, where, in accordance with rules of court made by virtue of paragraph (1), the court gives a party leave to call the maker of a statement as a witness, the court may adjourn the proceedings, on such terms as to costs or other matters as it thinks fit, for the purpose—

- (a) of enabling the witness to be brought before the court; or
- (b) of giving the party concerned a proper opportunity to investigate the statement or the credibility of the witness.

**Modifications etc. (not altering text)**

**C1** Art. 4 applied by 2002 c. 29, s. 195Q(2) (as inserted (1.3.2016) by [Policing and Crime Act 2009](#) (c. 26), [ss. 57\(2\)](#), 116(1); S.I. 2016/147, art. 3(b))

**Changes to legislation:**

The Civil Evidence (Northern Ireland) Order 1997, Section 4 is up to date with all changes known to be in force on or before 28 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 7A-7G and cross-heading inserted by [2021 c. 2 \(N.I.\) s. 38](#)
- art. 7H7I and cross-heading inserted by [2021 c. 2 \(N.I.\) s. 39](#)