



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART VII

DOCUMENTARY EVIDENCE IN CRIMINAL PROCEEDINGS

Modifications etc. (not altering text)

- C1 Pt. VII modified (2.10.2000) by S.I. 2000/2370, rule 27(2), Sch. 3 Pt. III para. 18(a)
- Pt. VII modified (2.10.2000) by S.I. 2000/2371, rule 27(2), Sch. 3 Pt. III para. 18(a)
- Pt. VII modified (2.10.2000) by S.I. 2000/2372, rule 27(2), Sch. 3 Pt. III para. 18(a)

68 F1

Textual Amendments

- F1 S. 68 repealed by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 170(2), Sch. 16

69 Evidence from computer records.

- (1) In any proceedings, a statement in a document produced by a computer shall not be admissible as evidence of any fact stated therein unless it is shown—
- (a) that there are no reasonable grounds for believing that the statement is inaccurate because of improper use of the computer;
 - (b) that at all material times the computer was operating properly, or if not, that any respect in which it was not operating properly or was out of operation was not such as to affect the production of the document or the accuracy of its contents; and
 - (c) that any relevant conditions specified in rules of court under subsection (2) below are satisfied.

Status: Point in time view as at 14/02/2000.

Changes to legislation: Police and Criminal Evidence Act 1984, Part VII is up to date with all changes known to be in force on or before 08 August 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. (See end of Document for details)

- (2) Provision may be made by rules of court requiring that in any proceedings where it is desired to give a statement in evidence by virtue of this section such information concerning the statement as may be required by the rules shall be provided in such form and at such time as may be so required.

70 Provisions supplementary to sections 68 and 69.

- (1) Part I of Schedule 3 to this Act shall have effect for the purpose of supplementing section 68 above.
- (2) Part II of that Schedule shall have effect for the purpose of supplementing section 69 above.
- (3) Part III of that Schedule shall have effect for the purpose of supplementing both sections.

71 Microfilm copies.

In any proceedings the contents of a document may (whether or not the document is still in existence) be proved by the production of an enlargement of a microfilm copy of that document or of the material part of it, authenticated in such manner as the court may approve.

[^{F2}Where the proceedings concerned are proceedings before a magistrates' court inquiring into an offence as examining justices this section shall have effect with the omission of the words "authenticated in such manner as the court may approve."]

Extent Information

E1 S. 71 extends to England and Wales only with exceptions as regards courts martial, see s. 120(1)(6)-(8)

Textual Amendments

F2 Words at the end of s. 71 inserted (4.7.1996 with effect as mentioned in Sch. 1 Pt. III para. 39 and S.I. 1997/683, art. 1(2)) by 1996 c. 25, s. 47, Sch. 1 Pt. II para.24 (with s. 78(1))

72 Part VII—supplementary.

- (1) In this Part of this Act—
- [^{F3}"copy", in relation to a document, means anything onto which information recorded in the document has been copied, by whatever means and whether directly or indirectly, and "statement" means any representation of fact, however made; and]
- "proceedings" means criminal proceedings, including—
- (a) proceedings in the United Kingdom or elsewhere before a court-martial constituted under the ^{M1}Army Act 1955 [^{F4}, the ^{M2}Air Force Act 1955 or the Naval Discipline Act 1957];
- (b) proceedings in the United Kingdom or elsewhere before the Courts-Martial Appeal Court—
- (i) on an appeal from a court-martial so constituted ^{F5}. . . ; or
- (ii) on a reference under section 34 of the ^{M3}Courts-Martial (Appeals) Act 1968; and

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- (c) proceedings before a Standing Civilian Court.
- (2) Nothing in this Part of this Act shall prejudice any power of a court to exclude evidence (whether by preventing questions from being put or otherwise) at its discretion.

Extent Information

E2 S. 72 extends to England and Wales only with exceptions as regards courts martial, see s. 120(1)(6)-(8)

Textual Amendments

- F3** Definitions of "copy" and "statement" in s. 72(1) substituted (31.1.1997) by 1995 c. 38, s. 15(1), **Sch. 1 para. 9(2)** (with ss. 1(3), 6(4)(5), 14); S.I. 1996/3217, **art. 2**
- F4** Words in s. 72(1)(a) substituted (1.4.1997) by 1996 c. 46, s. 5, **Sch. 1 Pt. IV para. 106(a)**; S.I. 1997/304, **art.2** (with savings in art. 3(1)(3) and transitional provisions in art. 4, Sch. 2 para. 1)
- F5** Words in s. 72(1)(b)(ii) repealed (1.4.1997) by 1996 c. 46, s. 5, 35(2), **Sch. 1 Pt. IV para. 106(b)**, **Sch. 7 Pt. I**; S.I. 1997/304, **art.2** (with savings in art. 3(1)(3) and transitional provisions in art. 4, Sch. 2 para. 1)

Marginal Citations

- M1** 1955 c. 18.
M2 1957 c. 53.
M3 1968 c. 20.

Status:

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