



# Criminal Procedure and Investigations Act 1996

## CHAPTER 25

### CRIMINAL PROCEDURE AND INVESTIGATIONS ACT 1996

#### PART I

#### DISCLOSURE

##### *Introduction*

- 1 Application of this Part.
- 2 General interpretation.

##### *The main provisions*

- 3 Primary disclosure by prosecutor.
- 4 Primary disclosure: further provisions.
- 5 Compulsory disclosure by accused.
- 6 Voluntary disclosure by accused.
- 6A Contents of defence statement
- 6B Updated disclosure by accused
- 6C Notification of intention to call defence witnesses
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- 6E Disclosure by accused: further provisions
- 7 Secondary disclosure by prosecutor.
- 7A Continuing duty of prosecutor to disclose
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- 9 Continuing duty of prosecutor to disclose.
- 10 Prosecutor's failure to observe time limits.
- 11 Faults in disclosure by accused.

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### *Time limits*

- 12 Time limits.
- 13 Time limits: transitional.

### *Public interest*

- 14 Public interest: review for summary trials.
- 15 Public interest: review in other cases.
- 16 Applications: opportunity to be heard.

### *Confidentiality*

- 17 Confidentiality of disclosed information.
- 18 Confidentiality: contravention.

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- 19 Rules of court.
- 20 Other statutory rules as to disclosure.
- 21 Common law rules as to disclosure.
- 21A Code of practice for police interviews of witnesses notified by accused

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- 28 Introduction.

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- 31 The preparatory hearing.
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- 37 Restrictions on reporting.

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38 Offences in connection with reporting.

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41 Restrictions on reporting.

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60 Reporting of assertions: offences.

61 Reporting of assertions: commencement and supplementary.

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62 Television links and video recordings.

63 Road traffic and transport: provision of specimens.

64 Checks against fingerprints etc.

##### *Witness orders and summonses*

65 Abolition of witness orders.

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- 66 Summons to witness to attend Crown Court.
- 67 Witness summons: securing attendance of witness.

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- 68 Use of written statements and depositions at trial.
- 69 Proof by written statement.
- 70 Indemnification of justices and justices' clerks.
- 71 Meaning of preliminary stage of criminal proceedings.
- 72 Fraud.
- 73 Amendments to the Criminal Procedure (Scotland) Act 1995.
- 74 Alibi.

*General*

- 75 Time when alleged offence committed.
- 76 Power of magistrates' courts.
- 77 Orders and regulations.
- 78 Application to armed forces.
- 79 Extent.
- 80 Repeals.
- 81 Citation.

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SCHEDULES

SCHEDULE 1 — Committal Proceedings  
Part I — MAGISTRATES' COURTS ACT 1980

*Introduction*

- 1 The Magistrates' Courts Act 1980 shall be amended as mentioned...

*Amendments*

- 2 (1) Section 4 (general nature of committal proceedings) shall be...
- 3 The following sections shall be inserted after section 5— Evidence...
- 4 In section 6 (discharge or committal for trial) the following...
- 5 (1) Section 25 (change from summary trial to committal proceedings)...
- 6 Section 28 (using in summary trial evidence given in committal...
- 7 In section 97 (summons to witness and warrant for his...
- 8 The following section shall be inserted after section 97— Summons...
- 9 Section 102 (written statements before examining justices) shall be omitted....
- 10 (1) Section 103 (evidence of children in certain committal proceedings)...
- 11 Section 105 (deposition of person dangerously ill may be given...
- 12 In section 106 (false written statements tendered in evidence) in...
- 13 In Schedule 3 the following shall be substituted for paragraph...

Part II — OTHER PROVISIONS

*Criminal Law Amendment Act 1867*

- 14 Sections 6 and 7 of the Criminal Law Amendment Act...

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*Bankers' Books Evidence Act 1879*

- 15 The following shall be inserted at the end of section...
- 16 The following shall be inserted at the end of section...

*Administration of Justice (Miscellaneous Provisions) Act 1933*

- 17 In section 2 of the Administration of Justice (Miscellaneous Provisions)...

*Criminal Justice Act 1948*

- 18 In section 41 of the Criminal Justice Act 1948 (evidence...

*Theft Act 1968*

- 19 In section 27 of the Theft Act 1968 (evidence on...
- 20 In section 28 of the Theft Act 1968 (orders for...

*Children and Young Persons Act 1969*

- 21 In Schedule 5 to the Children and Young Persons Act...

*Criminal Justice Act 1972*

- 22 (1) Section 46 of the Criminal Justice Act 1972 (written...

*Sexual Offences (Amendment) Act 1976*

- 23 (1) Section 3 of the Sexual Offences (Amendment) Act 1976...

*Police and Criminal Evidence Act 1984*

- 24 The following shall be inserted at the end of section...
- 25 In section 76 of the Police and Criminal Evidence Act...
- 26 In section 78 of the Police and Criminal Evidence Act...
- 27 .....

*Criminal Justice Act 1988*

- 28 In section 23 of the Criminal Justice Act 1988 (first-hand...
- 29 In section 24 of the Criminal Justice Act 1988 (business...
- 30 The following shall be inserted at the end of section...
- 31 The following shall be inserted at the end of section...
- 32 In section 30 of the Criminal Justice Act 1988 (expert...
- 33 In section 32A(10) of the Criminal Justice Act 1988 (video...
- 34 In section 40 of the Criminal Justice Act 1988 (power...

*Road Traffic Offenders Act 1988*

- 35 In section 11 of the Road Traffic Offenders Act 1988...
- 36 In section 13 of the Road Traffic Offenders Act 1988...
- 37 In section 16 of the Road Traffic Offenders Act 1988...
- 38 In section 20 of the Road Traffic Offenders Act 1988...

Part III — COMMENCEMENT

- 39 Parts I and II of this Schedule shall have effect...

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#### *Statements*

- 1 (1) Sub-paragraph (2) applies if— (a) a written statement has...

#### *Depositions*

- 2 (1) Sub-paragraph (2) applies if— (a) in pursuance of section...

#### *Signatures*

- 3 (1) A justice who signs a certificate authenticating one or...

#### *Time limit for objection*

- 4 Without prejudice to section 84 of the Supreme Court Act...

#### *Retrial*

- 5 In Schedule 2 to the Criminal Appeal Act 1968 (procedural...

#### *Repeals*

- 6 (1) Section 13(3) of the Criminal Justice Act 1925 (which...

#### *Commencement*

- 7 This Schedule shall have effect in accordance with provision made...

### SCHEDULE 3 — Fraud

#### *Introduction*

- 1 The Criminal Justice Act 1987 shall be amended as provided...

#### *Preparatory hearings*

- 2 In section 7 (power to order preparatory hearing) subsections (3)...  
3 (1) Section 9 (the preparatory hearing) shall be amended as...  
4 The following section shall be inserted after section 9— Orders...  
5 The following section shall be substituted for section 10 (later...

#### *Reporting restrictions*

- 6 The following sections shall be substituted for section 11 (reporting...  
7 In the list in section 17(2) (provisions extending to Scotland)...

#### *General*

- 8 (1) This Schedule applies in relation to an offence if—...

### SCHEDULE 4 — Modifications for Northern Ireland

#### *General*

- 1 In their application to Northern Ireland the provisions of this...  
2 Where a provision of this Act which extends to Northern...  
3 In any provision of this Act which extends to Northern...

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*Part I of this Act*

- 4 In section 1 for subsections (1) and (2) substitute—
- 5 (1) In section 5(2) for “section 5(9) of the Criminal...
- 6 In section 13 (1) for “the bill of indictment is...
- 7 After section 14 there shall be inserted— Public interest: review...
- 8 In section 15(1) at the end add “ and section...
- 9 In section 16 after “14(2)” insert “ , 14A(2) ”...
- 10 In section 17(1)(a) after “14” insert “ , 14A ”....
- 11 In section 18 at the end add—
- 12 (1) In section 19(1) for the words from the beginning...
- 13 (1) In section 20(2) for “section 9 of the Criminal...
- 14 In section 21(3) for paragraph (e) substitute—

*Part IV of this Act*

- 15 In section 39 for subsections (2) and (3) substitute—
- 15A In section 39(4) for “(3)” substitute (3)(b).
- 16 In section 41(1) for “Great Britain” where it twice occurs...
- 17 In section 42(3) omit “in England and Wales”, and after...

*Part V of this Act*

- 18 In section 45 for subsections (1) to (8) substitute—
- 19 In section 46 for subsections (1) and (2) substitute—

*Part VII of this Act*

- 20 (1) In section 54(6) in paragraph (b) for “section 51(1)...
- 21 In section 56(2) for paragraphs (a) to (c) substitute—
- 22 In section 57 omit subsection (1).
- 23 (1) In section 58(1) omit paragraph (b) and the word...
- 24 In section 59(1) for “Great Britain” where it twice occurs...
- 25 In section 62 for subsections (1) and (2) substitute—
- 26 For section 63 substitute— Road traffic: provision of specimens. (1) In Article 18(4) of the Road Traffic (Northern Ireland)...
- 27 In section 64 for subsection (1) substitute—
- 28 For section 66 substitute— (1) After section 51 of the Judicature (Northern Ireland) Act...
- 29 In section 69(1) for “section 9 of the Criminal Justice...
- 30 In section 70 for subsection (1) substitute—
- 31 (1) In section 74 for subsection (1) substitute—
- 32 In section 75(1) for “sections 52(3) and 54(7)” substitute “...
- 33 For section 76 substitute— Power of magistrates’ courts. Anything authorised or required by this Act to be done...
- 34 In section 80 omit “(or revoked)”.
- 35 For Schedule 3 substitute— SCHEDULE 3 FRAUD Introduction The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 shall...
- 36 For Schedule 5 substitute— SCHEDULE 5 Repeals 1. War Crimes...

SCHEDULE 5 — Repeals

- 1 The entries in Schedule 11 to the 1994 Act are...
- 2 The repeals under this paragraph (reinstatement of certain provisions) have...

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