



Criminal Procedure and Investigations Act 1996

1996 CHAPTER 25

PART I

DISCLOSURE

Public interest

14 Public interest: review for summary trials

- (1) This section applies where this Part applies by virtue of section 1(1).
- (2) At any time—
 - (a) after a court makes an order under section 3(6), 7(5), 8(5) or 9(8), and
 - (b) before the accused is acquitted or convicted or the prosecutor decides not to proceed with the case concerned,the accused may apply to the court for a review of the question whether it is still not in the public interest to disclose material affected by its order.
- (3) In such a case the court must review that question, and if it concludes that it is in the public interest to disclose material to any extent—
 - (a) it shall so order, and
 - (b) it shall take such steps as are reasonable to inform the prosecutor of its order.
- (4) Where the prosecutor is informed of an order made under subsection (3) he must act accordingly having regard to the provisions of this Part (unless he decides not to proceed with the case concerned).

15 Public interest: review in other cases

- (1) This section applies where this Part applies by virtue of section 1(2).

- (2) This section applies at all times—
 - (a) after a court makes an order under section 3(6), 7(5), 8(5) or 9(8), and
 - (b) before the accused is acquitted or convicted or the prosecutor decides not to proceed with the case concerned.
- (3) The court must keep under review the question whether at any given time it is still not in the public interest to disclose material affected by its order.
- (4) The court must keep the question mentioned in subsection (3) under review without the need for an application; but the accused may apply to the court for a review of that question.
- (5) If the court at any time concludes that it is in the public interest to disclose material to any extent—
 - (a) it shall so order, and
 - (b) it shall take such steps as are reasonable to inform the prosecutor of its order.
- (6) Where the prosecutor is informed of an order made under subsection (5) he must act accordingly having regard to the provisions of this Part (unless he decides not to proceed with the case concerned).

16 Applications: opportunity to be heard

Where—

- (a) an application is made under section 3(6), 7(5), 8(5), 9(8), 14(2) or 15(4),
- (b) a person claiming to have an interest in the material applies to be heard by the court, and
- (c) he shows that he was involved (whether alone or with others and whether directly or indirectly) in the prosecutor's attention being brought to the material,

the court must not make an order under section 3(6), 7(5), 8(5), 9(8), 14(3) or 15(5) (as the case may be) unless the person applying under paragraph (b) has been given an opportunity to be heard.