
STATUTORY INSTRUMENTS

1997 No. 170

The Courts-Martial (Royal Navy) Rules 1997

PART V

PROCEEDINGS AT COURT-MARTIAL

Substance of a pre-trial hearing

27.—(1) Without prejudice to the right of any party to the proceedings to raise any other challenge, objection, plea or application, application may be made at a pre-trial hearing to—

- (a) challenge the jurisdiction of the court;
- (b) object to a charge on the grounds that it is not correct in law;
- (c) plead that the court is debarred from trying him;
- (d) apply for severance of the charges.

(2) At a pre-trial hearing the judge advocate may make an order or ruling as to—

- (a) any question as to the admissibility of evidence;
- (b) any other question of law, practice or procedure relating to the case.

(3) An order or ruling made under this rule shall have effect until the conclusion of the trial unless it appears to the judge advocate on application made to him at any stage during the proceedings that in the interests of justice it should be varied or discharged.

(4) If the judge advocate allows any application such that there is no charge remaining to which the accused can be required to plead, he shall order the court administration officer to dissolve the court.