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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 22 E+W**

**STATEMENTS OF TRUTH**

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**Documents to be verified by a statement of truth E+W**

**22.1.**—<sup>F1</sup>(1) The following documents must be verified by a statement of truth—

- (a) a statement of case;
- (b) a response complying with an order under rule 18.1 to provide further information;
- (c) a witness statement;
- (d) an acknowledgement of service in a claim begun by way of the Part 8 procedure; <sup>F2</sup>...
- (e) a certificate stating the reasons for bringing a possession claim or a landlord and tenant claim in the High Court in accordance with rules 55.3(2) and 56.2(2); <sup>F3</sup>...

<sup>F4</sup>(f) a certificate of service; and

(g) any other document where a rule or practice direction requires.]]

(2) Where a statement of case is amended, the amendments must be verified by a statement of truth unless the court orders otherwise.

(Part 17 provides for amendments to statements of case)

(3) If an applicant wishes to rely on matters set out in his application notice as evidence, the application notice must be verified by a statement of truth.

(4) Subject to paragraph (5), a statement of truth is a statement that—

- (a) the party putting forward the document; <sup>F5</sup>...
- (b) in the case of a witness statement, the maker of the witness statement <sup>F6</sup>... <sup>F7</sup>; or
- (c) in the case of a certificate of service, the person who signs the certificate,]

believes the facts stated in the document are true.

*Status: Point in time view as at 01/10/2007.*

*Changes to legislation: There are currently no known outstanding effects for the  
The Civil Procedure Rules 1998, PART 22. (See end of Document for details)*

- (5) If a party is conducting proceedings with a litigation friend, the statement of truth in—
- (a) a statement of case;
  - (b) a response; or
  - (c) an application notice,
- is a statement that the litigation friend believes the facts stated in the document being verified are true.
- (6) The statement of truth must be signed by—
- (a) in the case of a statement of case, a response or an application—
    - (i) the party or litigation friend; or
    - (ii) the legal representative on behalf of the party or litigation friend; and
  - (b) in the case of a witness statement, the maker of the statement.
- (7) A statement of truth which is not contained in the document which it verifies, must clearly identify that document.
- (8) A statement of truth in a statement of case may be made by—
- (a) a person who is not a party; or
  - (b) by two parties jointly,
- where this is permitted by a relevant practice direction.

#### Textual Amendments

- F1** Rule 22.1(1) substituted (15.10.2001) by [The Civil Procedure \(Amendment No. 3\) Rules 2001 \(S.I. 2001/1769\)](#), rules 1(b), **4**
- F2** Word in rule 22.1(1)(d) omitted (25.3.2002) by virtue of [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rules 1(c), **16(a)**
- F3** Word in rule 22.1(1)(e) omitted (1.4.2005) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2004 \(S.I. 2004/3419\)](#), rules 1, **4(1)(a)**
- F4** Rule 22.1(1)(f)(g) substituted for rule 22.1(1)(f) (1.4.2005) by [The Civil Procedure \(Amendment No. 4\) Rules 2004 \(S.I. 2004/3419\)](#), rules 1, **4(1)(b)**
- F5** Word in rule 22.1(4)(a) omitted (1.4.2005) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2004 \(S.I. 2004/3419\)](#), rules 1, **4(2)(a)**
- F6** Rule 22.1(4)(b) comma omitted (1.4.2005) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2004 \(S.I. 2004/3419\)](#), rules 1, **4(2)(b)(i)**
- F7** Rule 22.1(4)(c) and word inserted (1.4.2005) by [The Civil Procedure \(Amendment No. 4\) Rules 2004 \(S.I. 2004/3419\)](#), rules 1, **4(2)(b)(ii)**

#### Commencement Information

- I1** Rule 22.1 in force at 26.4.1999, see [Signature](#)

### Failure to verify a statement of case **E+W**

- 22.2.**—(1) If a party fails to verify his statement of case by a statement of truth—
- (a) the statement of case shall remain effective unless struck out; but
  - (b) the party may not rely on the statement of case as evidence of any of the matters set out in it.
- (2) The court may strike out<sup>(GL)</sup> a statement of case which is not verified by a statement of truth.
- (3) Any party may apply for an order under paragraph (2).

**Commencement Information**

**I2** [Rule 22.2](#) in force at 26.4.1999, see [Signature](#)

**Failure to verify a witness statement** **E+W**

**22.3** If the maker of a witness statement fails to verify the witness statement by a statement of truth the court may direct that it shall not be admissible as evidence.

**Commencement Information**

**I3** [Rule 22.3](#) in force at 26.4.1999, see [Signature](#)

**Power of the court to require a document to be verified** **E+W**

**22.4.**—(1) The court may order a person who has failed to verify a document in accordance with rule 22.1 to verify the document.

(2) Any party may apply for an order under paragraph (1).

**Commencement Information**

**I4** [Rule 22.4](#) in force at 26.4.1999, see [Signature](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, PART 22.