
STATUTORY INSTRUMENTS

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.—^{F1}(1) The following documents must be verified by a statement of truth—

- (a) a statement of case;
- (b) a witness statement;
- (c) an acknowledgement of service in a claim using the Part 8 procedure;
- (d) a certificate of service;
- (e) a contempt application under Part 81; and
- (f) 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.

^{F2}
...

(3) If an applicant wishes to rely on matters set out in ^{F3}their] application notice as evidence, ^{F4}it] must be verified by a statement of truth.

^{F5}(4) A statement of truth is a statement that the maker believes the facts stated in the document to which the statement refers are true.

(5) If a party has a litigation friend, the statement of truth in a statement of case or an application notice is a statement that the litigation friend believes the facts stated in it are true.]

(6) The statement of truth must be signed by—

- (a) in the case of a statement of case, a ^{F6}notice of objections to an account being taken by the court] 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.
- [^{F7}(9) Where a document containing a statement of truth is to be signed by a person who is unable to read or sign the document other than by reason of language alone—
- (a) it must contain a certificate made by an authorised person (who is able to administer oaths and take affidavits but need not be independent of the parties or their representatives); and
 - (b) the authorised person must certify that—
 - (i) the document has been read to the person approving it;
 - (ii) that person appeared to understand it and approved its content as accurate;
 - (iii) the declaration of truth has been read to that person;
 - (iv) that person appeared to understand the declaration and the consequences of making a false declaration; and
 - (v) that person signed or made their mark in the presence of the authorised person.]

Textual Amendments

- F1** Rule 22.1(1) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 13\(1\)\(a\)](#)
- F2** Words in rule 22.1 omitted (1.10.2023 immediately after S.I. 2023/572 comes into force) by virtue of [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 13\(1\)\(b\)](#)
- F3** Word in rule 22.1(3) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 13\(1\)\(c\)\(i\)](#)
- F4** Word in rule 22.1(3) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 13\(1\)\(c\)\(ii\)](#)
- F5** Rule 22.1(4)(5) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 13\(1\)\(d\)](#)
- F6** Words in rule 22.1(6)(a) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 13\(1\)\(e\)](#)
- F7** Rule 22.1(9) inserted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 13\(1\)\(f\)](#)

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 [^{F8}their] 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^(GL) a statement of case which is not verified by a statement of truth.

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

Textual Amendments

F8 Word in rule 22.2(1) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\)](#), rules 1(1), **13(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 [^{F9}it] by a statement of truth the court may direct that it shall not be admissible as evidence.

Textual Amendments

F9 Word in rule 22.3 substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\)](#), rules 1(1), **13(3)**

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 [^{F10}do so].

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

[^{F11}(Rule 32.14 states that verifying a statement of case containing a false statement without an honest belief in its truth may result in proceedings for contempt of court.)]

Textual Amendments

F10 Words in rule 22.4(1) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\)](#), rules 1(1), **13(4)(a)**

F11 Words in rule 22.4 inserted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\)](#), rules 1(1), **13(4)(b)**

Commencement Information

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

Changes to legislation:

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