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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**[<sup>F1</sup>PART 87**

**APPLICATIONS FOR WRIT OF HABEAS CORPUS**

*SECTION 3*

*WRIT OF HABEAS CORPUS TO GIVE EVIDENCE OR TO ANSWER A CHARGE*

**[<sup>F1</sup>Writ of habeas corpus to give evidence or to answer a charge**

**87.12.**—(1) An application for a writ of habeas corpus to give evidence or a writ of habeas corpus to answer a charge must be made to a judge and be supported by a witness statement or affidavit.

(2) A writ of habeas corpus to give evidence must be in Practice Form No. 91 as set out in Practice Direction 4.

(3) A writ of habeas corpus to answer a charge must be in Practice Form No. 92 as set out in Practice Direction 4.

(4) An application for an order to bring up a prisoner otherwise than by writ of habeas corpus, to give evidence in any criminal or civil proceedings before any court, tribunal or judge, must be—

(a) made to a judge or, in the case of an application for an order under section 57 of the County Courts Act 1984, a judge of the County Court; and

(b) supported by a witness statement or affidavit.]

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**Textual Amendments**

**F1** Pt. 87 inserted (6.4.2015) by [The Civil Procedure \(Amendment No. 8\) Rules 2014 \(S.I. 2014/3299\)](#), rule 2(c), [Sch. 2](#)

**Status:**

Point in time view as at 01/10/2017. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 87.12.