
STATUTORY INSTRUMENTS

2000 No. 2372

The Summary Appeal Court (Air Force) Rules 2000

PART III

PROCEDURE ON THE BRINGING OF AN APPEAL

Respondent's papers

18.—(1) Where the respondent gives notice that he intends to contest an appeal against finding, he shall serve the following (referred to in these Rules as “the respondent’s papers”) on the appellant’s commanding officer and the court administration officer—

- (a) a copy of the Record of Summary Dealing;
- (b) a summary of the facts and matters of which the respondent proposes to adduce evidence at the hearing of the appeal;
- (c) a list of all the persons whose evidence the respondent proposes to rely on at the hearing of the appeal (“the respondent’s witnesses”);
- (d) copies of every written statement made by the respondent’s witnesses which contain information as to the facts and matters of which the prosecutor proposes to adduce evidence at the hearing of the appeal;
- (e) a list of any exhibits which the respondent proposes to put in evidence and copies of those exhibits;
- (f) copies of all unused material; and
- (g) a statement of the information which the respondent proposes to present to the court in pursuance of rule 60(2).

(2) Where it is not practicable or desirable to make a copy of any exhibit, the respondent shall include in the document prepared in accordance with paragraph (1)(e) details of the whereabouts of the exhibit and the name and address of the person who has custody of it.

(3) On receipt of the respondent’s papers, the appellant’s commanding officer shall as soon as reasonably practicable serve them on the appellant, together with—

- (a) a statement explaining the requirements of section 11 of the Criminal Justice Act 1967(1) (notice of alibi) as modified by Part II of Schedule 3 to these Rules; and
- (b) a statement explaining that any person whom the appellant reasonably requires to give evidence may be summoned on his behalf in accordance with rule 30 and Schedule 4.

(4) Paragraph (3)(a) only applies where the respondent requests the appellant’s commanding officer to serve the statement referred to in that sub-paragraph on the appellant.