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STATUTORY INSTRUMENTS

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**2009 No. 1211**

**The Armed Forces (Summary Appeal Court) Rules 2009**

**PART 14**

**RESTRICTIONS ON PUBLIC ACCESS AND REPORTING**

**Proceedings in camera**

**90.**—(1) A judge advocate may order that any proceedings, or any part of any proceedings, be held in camera, if satisfied that the order is necessary or expedient in the interests of the administration of justice.

(2) Without prejudice to the generality of paragraph (1), a judge advocate may conclude that it is necessary or expedient in the interests of the administration of justice to make an order under this rule on the ground that, if no order were made, the Director would be—

- (a) likely to abandon the proceedings, or
- (b) unlikely to contest comparable proceedings in future,

for fear that information useful to an enemy might be disclosed, or national security endangered.

(3) An order under this rule may be made only on oral application by a party to the proceedings, and such an application shall be made in camera unless the judge advocate otherwise directs.

(4) Section 145 (open court) shall not apply in relation to—

- (a) any proceedings, or any part of any proceedings, as respects which an order under this rule has been made; or
- (b) unless the judge advocate hearing the application otherwise directs, the hearing of an application for such an order.