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STATUTORY INSTRUMENTS

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**2010 No. 2955**

**The Family Procedure Rules 2010**

**PART 22**

**EVIDENCE**

**CHAPTER 2**

**RULES APPLYING ONLY TO PARTICULAR PROCEEDINGS**

**Scope of this Chapter**

**22.18.** This Chapter of this Part applies to affidavits<sup>(GL)</sup> and affirmations as it applies to witness statements.

**Availability of witness statements for inspection during the final hearing**

**22.19.**—(1) This rule applies to proceedings under Part 7 (matrimonial and civil partnership proceedings).

(2) A witness statement which stands as evidence in chief<sup>(GL)</sup> is open to inspection during the course of the final hearing unless the court directs otherwise.

(3) Any person may ask for a direction that a witness statement is not open to inspection.

(4) The court will not make a direction under paragraph (2) unless it is satisfied that a witness statement should not be open to inspection because of—

- (a) the interests of justice;
- (b) the public interest;
- (c) the nature of any expert medical evidence in the statement;
- (d) the nature of any confidential information (including information relating to personal financial matters) in the statement; or
- (e) the need to protect the interests of any child or protected party.

(5) The court may exclude from inspection words or passages in the witness statement.

**Use of witness statements for other purposes**

**22.20.**—(1) This rule applies to proceedings under Part 7 (matrimonial and civil partnership proceedings) or Part 9 (financial remedies).

(2) Except as provided by this rule, a witness statement may be used only for the purpose of the proceedings in which it is served.

(3) Paragraph (2) does not apply if and to the extent that—

- (a) the court gives permission for some other use; or
- (b) the witness statement has been put in evidence at a hearing held in public.

**Changes to legislation:**

There are currently no known outstanding effects for the The Family Procedure Rules 2010, CHAPTER 2.