
STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 15

**PREPARATORY HEARINGS IN CASES OF SERIOUS FRAUD AND OTHER
COMPLEX, SERIOUS OR LENGTHY CASES IN THE CROWN COURT**

Orders for disclosure by prosecution or defence

15.5.—(1) Any disclosure order under section 9 of the Criminal Justice Act 1987, or section 31 of the Criminal Procedure and Investigations Act 1996, must identify any documents that are required to be prepared and served by the prosecutor under that order.

(2) A disclosure order under either of those sections does not require a defendant to disclose who will give evidence, except to the extent that disclosure is required—

- (a) by section 6A(2) of the 1996 Act (disclosure of alibi); or
- (b) by Part 33 of these Rules (disclosure of expert evidence).

(3) The court officer must serve notice of the order, in the relevant form set out in the Practice Direction, on the parties.

[Note. Under section 9(4) of the Criminal Justice Act 1987 or section 31(4) of the Criminal Procedure and Investigations Act 1996, the judge can require the prosecution to set out its case in a written statement, to arrange its evidence in a form that will be easiest for the jury to understand, to prepare a list of agreed facts, and to amend the case statement as directed by the judge following representations from the defence.]

Under section 9(5) of the 1987 Act or section 31(6), (7) and (9) of the 1996 Act, the judge can require the defence to give notice of any objection to the prosecution case statement, to give notice stating the extent of agreement with the prosecution as to documents and other matters and the reason for any disagreement.]