
STATUTORY INSTRUMENTS

2012 No. 1726

The Criminal Procedure Rules 2012

PART 28

WITNESS SUMMONSES, WARRANTS AND ORDERS

When this Part applies

28.1.—(1) This Part applies in magistrates' courts and in the Crown Court where—

- (a) a party wants the court to issue a witness summons, warrant or order under—
 - (i) section 97 of the Magistrates' Courts Act 1980,
 - (ii) section 2 of the Criminal Procedure (Attendance of Witnesses) Act 1965, or
 - (iii) section 7 of the Bankers' Books Evidence Act 1879;
- (b) the court considers the issue of such a summons, warrant or order on its own initiative as if a party had applied; or
- (c) one of those listed in rule 28.7 wants the court to withdraw such a summons, warrant or order.

(2) A reference to a 'witness' in this Part is a reference to a person to whom such a summons, warrant or order is directed.

[Note. See section 2D of the Criminal Procedure (Attendance of Witnesses) Act 1965 for the Crown Court's power to issue a witness summons on the court's own initiative.]