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STATUTORY INSTRUMENTS

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**2015 No. 1490**

**The Criminal Procedure Rules 2015**

**PART 15**

**DISCLOSURE**

**Defence disclosure**

**15.4.**—(1) This rule applies where—

- (a) under section 5 or 6 of the Criminal Procedure and Investigations Act 1996(1), the defendant gives a defence statement;
  - (b) under section 6C of the 1996 Act(2), the defendant gives a defence witness notice.
- (2) The defendant must serve such a statement or notice on—
- (a) the court officer; and
  - (b) the prosecutor.

*[Note. The Practice Direction sets out forms of—*

- (a) defence statement; and*
- (b) defence witness notice.*

*Under section 5 of the 1996 Act, in the Crown Court the defendant must give a defence statement. Under section 6 of the Act, in a magistrates' court the defendant may give such a statement but need not do so.*

*Under section 6C of the 1996 Act, in the Crown Court and in magistrates' courts the defendant must give a defence witness notice indicating whether he or she intends to call any witnesses (other than him or herself) and, if so, identifying them.]*

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(1) 1996 c. 25; section 5 was amended by section 33 of, and paragraph 66 of Schedule 3, paragraphs 20 and 23 of Schedule 36 and Parts 3 and 4 of Schedule 37 to, the Criminal Justice Act 2003 (c. 44). It was further amended by section 119 of, and paragraph 126 of Schedule 8 to, the Crime and Disorder Act 1998 (c. 37) in respect of certain proceedings only.

(2) 1996 c. 25; section 6C was inserted by section 34 of the Criminal Justice Act 2003 (c. 44).