
STATUTORY INSTRUMENTS

2015 No. 1490

The Criminal Procedure Rules 2015

PART 17

WITNESS SUMMONSES, WARRANTS AND ORDERS

Application for summons to produce a document, etc.: special rules

17.5.—(1) This rule applies to an application under rule 17.3 for a witness summons requiring the proposed witness—

- (a) to produce in evidence a document or thing; or
- (b) to give evidence about information apparently held in confidence,

that relates to another person.

(2) The application must be in writing in the form required by rule 17.4.

(3) The party applying must serve the application—

- (a) on the proposed witness, unless the court otherwise directs; and
- (b) on one or more of the following, if the court so directs—
 - (i) a person to whom the proposed evidence relates,
 - (ii) another party.

(4) The court must not issue a witness summons where this rule applies unless—

- (a) everyone served with the application has had at least 14 days in which to make representations, including representations about whether there should be a hearing of the application before the summons is issued; and
- (b) the court is satisfied that it has been able to take adequate account of the duties and rights, including rights of confidentiality, of the proposed witness and of any person to whom the proposed evidence relates.

(5) This rule does not apply to an application for an order to produce in evidence a copy of an entry in a banker's book.

[Note. Under section 2A of the Criminal Procedure (Attendance of Witnesses) Act 1965(1), a witness summons to produce a document or thing issued by the Crown Court may require the witness to produce it for inspection by the applicant before producing it in evidence.]

(1) 1965 c. 69; section 2A was substituted, together with sections 2, 2 B, 2D and 2E, for existing section 2 by section 66(1) and (2) of the Criminal Procedure and Investigations Act 1996 (c. 25).