

**Order for defence disclosure prior to preparatory hearing
under s. 9(5) Criminal Justice Act 1987 or s.31(6) Criminal Procedure and
Investigations Act 1996**

(Criminal Procedure Rules, r 15.6(1))

In the Crown Court at

Crown Court
Case Number

Case details

Defendant (where there is more than one, a separate form to be completed for each)

Surname:

Forename(s):

Date of birth:

Charges

(specify all relevant charges)

Requirements

Date by which any of these specified requirements is to be complied with:

Note: A statement or notice required by virtue of s.9(5)(i),(ii) or (iv) CJA 1987 or by virtue of s.31(6)(a), (6)(b), or (7) CPIA 1996, need not disclose who will give evidence except to the extent that disclosure is required by s.5(7) CPIA 1996 (alibi) (where s.5(7) does not apply pursuant to s.1(3) CPIA 1996 the relevant provision is s.11 Criminal Justice Act 1967) or rules under s.81 Police and Criminal Evidence Act 1984 (expert witness).

Warning

If any party departs from the case which he disclosed pursuant of a requirement imposed under s.9 CJA 1987 or fails to comply with such a requirement—

- (a) the judge or, with the leave of the judge, any other party may make such comment as appears to him appropriate and the jury may draw such inference as appears proper; and*
- (b) where the court is satisfied that any such departure or failure by a party constitutes an unnecessary or improper act or omission on his part, and that another party to the proceedings has incurred costs as a result thereof, the court may make an order as to payment of those costs by the party concerned under the Costs in Criminal Cases (General) Regulations 1986.*

Signed
(an Officer of the Court)

Date

[Note: Formerly form 5307, Criminal Justice Act 1987 (Preparatory Hearings) Rules 1997 (S.I. 1997/1051), relating to r 8 of those Rules and form 5311, Criminal Procedure and Investigations Act 1996 (Preparatory Hearings) Rules 1997 (S.I. 1997/1052), relating to r 8 of those Rules.]