

## DEFENCE WITNESS NOTICE

*(Criminal Procedure and Investigations Act 1996, section 6C; Criminal Procedure and Investigations Act 1996 (Defence Disclosure Time Limits) Regulations 2011; Criminal Procedure Rules, rule 15.4)*

### Case details

Name of defendant:

Court:

Case reference number:

Charge(s):

### When to use this form

Under section 6C of the Criminal Procedure and Investigations Act 1996, if you are a defendant pleading not guilty you must:

(a) let the court and the prosecutor know **whether you intend to call anyone other than yourself as a witness at your trial;**

(b) do so **not more than -**

**14 days** (in a magistrates' court case)

**28 days** (in a Crown Court case)

**after initial prosecution disclosure** (or notice from the prosecutor that there is no material to disclose);

(c) give as many details of each witness as you can (see the list below);

(d) let the court and the prosecutor know if you later -

(i) decide to call a witness, other than yourself, whom you have not already identified in a defence witness notice,

(ii) decide not to call a witness you have listed in a notice, or

(iii) discover information which you should have included in a notice if you had known it then.

### How to use this form

**1. Complete the case details box above and give the details required below.**

**2. Sign and date the completed form.**

**3. Send a copy of the completed form to:**

**(a) the court, and**

**(b) the prosecutor**

**before the time limit expires.**

If you need more time, you **must** apply to the court **before** the time limit expires. You should apply in writing, but no special form is needed.

**List of intended defence witness(es)**

1. Do you intend to call anyone other than yourself as a witness at your trial ? No  Yes  If yes, give details below. If you use an electronic version of this form, the boxes will expand. If you use a paper version and need more space, you may attach extra sheets.

Name	Date of birth (if known)	Address, or any other contact or identifying details

2. Have you given a defence witness notice in this case before?

No  Yes  If yes, give the date(s).

Signed: .....[defendant / defendant's solicitor]

Date: .....

**WARNING:** Under section 11 of the Criminal Procedure and Investigations Act 1996, if you (a) do not give a defence witness notice before the time limit expires, or (b) at trial, call a witness whom you have not identified in a witness notice then the court, the prosecutor or another defendant may comment on that, and the court may draw such inferences as it thinks proper in deciding whether you are guilty.