

NOTICE TO INTRODUCE HEARSAY EVIDENCE

(Criminal Procedure Rules, rule 20.2)

Case details

Name of defendant:

Court:

Case reference number:

Charge(s):

This notice is given by [the prosecutor]

[..... (name of defendant)]

I want to introduce hearsay evidence on the following ground(s) in the Criminal Justice Act 2003:

- the witness is unavailable to attend: s.116.**
- the evidence is in a statement prepared for the purposes of criminal proceedings or for a criminal investigation and the witness is unavailable or unable to recollect: s.117(1)(c).**
- the evidence is multiple hearsay: s.121.**
- it is in the interests of justice for the evidence to be admissible: s.114(1)(d).**

1. Complete the boxes above and give the details required in the boxes below. If you use an electronic version of this form, the boxes will expand¹. If you use a paper version and need more space, you may attach extra sheets.

2. Sign and date the completed form.

3. Send a copy of the completed form and anything attached to:

- (a) the court, and**
- (b) each other party to the case.**

If you are a prosecutor, you must send this form so as to reach the recipients not more than:

- (a) 28 days after the defendant pleads not guilty, in a magistrates' court, or
- (b) 14 days after the defendant pleads not guilty, in the Crown Court.

If you are a defendant, you must send this form so as to reach the recipients as soon as reasonably practicable.

The court may extend these time limits, **but if you are late you must explain why.**

A party who objects to the introduction of the evidence must apply to the court under Criminal Procedure Rule 20.3 **not more than 14 days after:**

- (a) service of this notice, or
- (b) the defendant pleads not guilty

whichever happens last.

¹ Forms for use with the Rules are at: <http://www.justice.gov.uk/courts/procedure-rules/criminal/formspage>.

1) Details of the hearsay evidence. If you have NOT already served the evidence, attach any statement or other document containing it. Otherwise, give enough details to identify it.

2) Facts on which you rely (if any), and how you will prove them. Set out any facts that you need to prove to make the evidence admissible. A party who objects to the introduction of the evidence must explain which, if any, of those facts are in dispute. Explain in outline on what you will then rely to prove those facts.

3) Reasons why the hearsay evidence is admissible. Explain why the evidence is admissible, by reference to the provisions(s) of the Criminal Justice Act 2003 on which you rely.

4) Reasons for any extension of time required. If this notice is served late, explain why.

Signed²: **[prosecutor]**
[defendant / defendant's solicitor]
Date:

² If you use an electronic version of this form, you may instead authenticate it electronically (e.g. by sending it from an email address recognisable to the recipient). See Criminal Procedure Rules, rule 5.3.