



# Criminal Procedure and Investigations Act 1996

## 1996 CHAPTER 25

### PART I

#### DISCLOSURE

##### *The main provisions*

#### [<sup>F1</sup>6A Contents of defence statement

- (1) For the purposes of this Part a defence statement is a written statement—
  - (a) setting out the nature of the accused's defence, including any particular defences on which he intends to rely,
  - (b) indicating the matters of fact on which he takes issue with the prosecution,
  - (c) setting out, in the case of each such matter, why he takes issue with the prosecution,
  - [<sup>F2</sup>(ca) setting out particulars of the matters of fact on which he intends to rely for the purposes of his defence,]
  - (d) indicating any point of law (including any point as to the admissibility of evidence or an abuse of process) which he wishes to take, and any authority on which he intends to rely for that purpose.
- (2) A defence statement that discloses an alibi must give particulars of it, including—
  - (a) the name, address and date of birth of any witness the accused believes is able to give evidence in support of the alibi, or as many of those details as are known to the accused when the statement is given;
  - (b) any information in the accused's possession which might be of material assistance in identifying or finding any such witness in whose case any of the details mentioned in paragraph (a) are not known to the accused when the statement is given.

**Changes to legislation:** *Criminal Procedure and Investigations Act 1996, Section 6A is up to date with all changes known to be in force on or before 12 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (3) For the purposes of this section evidence in support of an alibi is evidence tending to show that by reason of the presence of the accused at a particular place or in a particular area at a particular time he was not, or was unlikely to have been, at the place where the offence is alleged to have been committed at the time of its alleged commission.
- (4) The Secretary of State may by regulations make provision as to the details of the matters that, by virtue of subsection (1), are to be included in defence statements.]

#### Textual Amendments

- F1** S. 6A inserted (4.4.2005 for E.W., 15.7.2005 for N.I.) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. **33(2)**, [336](#); [S.I. 2005/950](#), art. 2, [Sch. 1](#); [S.I. 2005/1817](#), art. 2
- F2** S. 6A(1)(ca) inserted (3.11.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. **60(1)**, [153\(7\)](#); [S.I. 2008/2712](#), art. 2, [Sch. para. 8](#) (with art. 3)

#### Modifications etc. (not altering text)

- C1** Pt. I power to apply (with modifications) conferred by [SI 2015/1490 rule 23.2 Note](#) (as inserted (2.4.2018) by [The Criminal Procedure \(Amendment\) Rules 2018 \(S.I. 2018/132\)](#), rules 1, **11(a)(v)**)

**Changes to legislation:**

Criminal Procedure and Investigations Act 1996, Section 6A is up to date with all changes known to be in force on or before 12 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)