



Jersey

# **CRIMINAL PROCEDURE (NOTICE OF EXPERT EVIDENCE) RULES 2000<sup>1</sup>**

## **Official Consolidated Version**

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Jersey

## CRIMINAL PROCEDURE (NOTICE OF EXPERT EVIDENCE) RULES 2000

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**THE SUPERIOR NUMBER OF THE ROYAL COURT**, in pursuance of Article 13 of the [Royal Court \(Jersey\) Law 1948](#), Articles 7 and 17 of the [Criminal Justice \(Evidence and Procedure\) \(Jersey\) Law 1998](#), and all other powers enabling it in this behalf, has made the following Rules –

Commencement [\[see endnotes\]](#)

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### 1 Interpretation

In these Rules –

“document” includes, in addition to a document in writing –

- (a) a map, plan, graph or drawing; and
- (b) a photograph;

“recording device” means –

- (a) a disc, tape, sound track or other device, in which sounds other than data in the form of visual images are embodied so as to be capable (with or without the aid of other equipment) of being reproduced from it; or
- (b) a disc, film, microfilm, negative, tape or other device, in which one or more visual images are embodied so as to be capable (with or without the aid of other equipment) of being reproduced from it.

### 2 Application

These Rules apply only in criminal proceedings before the Royal Court in which a person is –

- (a) committed for trial or sentence; or
- (b) summoned by the Attorney General,

after these Rules come into force.

**3 Notice of expert evidence in Royal Court**

- (1) A party to criminal proceedings who wishes to adduce expert evidence shall give each other party, as soon as practicable, a statement in writing of any finding or opinion that the party proposes to adduce by way of such evidence.
- (2) If the party is requested in writing by any other party to do so, the party shall also give that party a copy or (where appropriate) a sample of –
  - (a) the record of any observation, task, calculation or other procedure on which the finding or opinion is based; or
  - (b) any document, recording device, substance or other thing in respect of which such a procedure has been carried out.
- (3) However, if it appears to the party that it is more practicable to do so, the party may instead give the other party a reasonable opportunity to examine the record or thing to which the request relates.

**4 Exception in cases of intimidation**

- (1) A party is not required to comply with Rule 3 in relation to expert evidence if the party has reasonable grounds for believing that the disclosure of that evidence might lead to –
  - (a) the intimidation or attempted intimidation of any person on whose evidence the party intends to rely in the proceedings; or
  - (b) interference with the course of justice in any other way.
- (2) In that event the party shall inform each other party, in writing, of the grounds on which disclosure is being withheld.

**5 Waiver**

A party may in writing waive the party's right under Rule 3(1) to receive a statement, or to receive it in writing.

**6 Restriction on adducing expert evidence without notice**

A party who is required to comply with Rule 3 in respect of expert evidence but fails to do so shall not adduce that evidence without the leave of the Court.

**7 Citation**

These Rules may be cited as the Criminal Procedure (Notice of Expert Evidence) Rules 2000.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Criminal Procedure (Notice of Expert Evidence) (Jersey) Rules 2000	<a href="#">R&amp;O.29/2000</a>	1 April 2000

### Table of Endnote References

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<sup>1</sup>

*These Rules were repealed by the Criminal Procedure (Consequential and Supplementary Amendments) (Jersey) Regulations 2021 on 1 October 2021*