



# Criminal Justice Act 1982

## 1982 CHAPTER 48

### PART V

#### MISCELLANEOUS

##### *Unsworn statements*

#### **72 Abolition of right of accused to make unsworn statement**

- (1) Subject to subsections (2) and (3) below, in any criminal proceedings the accused shall not be entitled to make a statement without being sworn, and accordingly, if he gives evidence, he shall do so on oath and be liable to cross-examination; but this section shall not affect the right of the accused, if not represented by counsel or a solicitor, to address the court or jury otherwise than on oath on any matter on which, if he were so represented, counsel or a solicitor could address the court or jury on his behalf.
- (2) Nothing in subsection (1) above shall prevent the accused making a statement without being sworn—
  - (a) if it is one which he is required by law to make personally; or
  - (b) if he makes it by way of mitigation before the court passes sentence upon him.
- (3) Nothing in this section applies—
  - (a) to a trial; or
  - (b) to proceedings before a magistrates' court acting as examining justices, which began before the commencement of this section.