
STATUTORY INSTRUMENTS

1997 No. 171

The Courts-Martial (Royal Air Force) Rules 1997

PART IV

PRELIMINARY PROCEEDINGS

Preparatory hearing

29.—(1) The judge advocate may direct the court administration officer to convene a hearing for the purpose of giving orders and rulings in preparation for a court-martial—

- (a) of his own motion; or
- (b) on the application of the prosecutor or accused for such a hearing;

and such hearing shall be referred to in these Rules as a preparatory hearing.

(2) An application for a preparatory hearing shall—

- (a) be made to the judge advocate in the form set out in Schedule 2 to these Rules; and
- (b) specify the reason for which it is made.

(3) The applicant shall serve notice in writing of the application with a time estimate of the length of the preparatory hearing on every other party to the proceedings and the court administration officer.

(4) Before directing the court administration officer to convene a preparatory hearing, the judge advocate shall afford each party to the proceedings the opportunity of making written representations to him.

(5) Paragraph (4) above shall not oblige the judge advocate to afford any party the opportunity of making representations where it appears to him that it would be impracticable to do so, or would cause unnecessary delay.

(6) On receipt of a direction from the judge advocate under paragraph (1) above, the court administration officer shall—

- (a) appoint the date, time and place at which the preparatory hearing will take place;
- (b) issue a notice in writing of the date, time and place appointed;
- (c) serve the notice on the parties to the proceedings; and
- (d) arrange for the attendance at the hearing of a court recorder and, if the judge advocate or any party so requests, an interpreter.