
STATUTORY INSTRUMENTS

2009 No. 1216

**The Armed Forces (Summary Hearing and Activation of
Suspended Sentences of Service Detention) Rules 2009**

PART 2

Summary Hearings

Evidence adduced by the accused

17.—(1) Where the time fixed for the hearing is 48 hours or more after the commanding officer has complied with rule 8(1) the accused may not adduce the evidence of a witness unless—

- (a) he has notified the commanding officer not less than 24 hours before the hearing that he wishes to adduce the evidence of the witness; or
- (b) he has the permission of the commanding officer.

(2) Where the accused adduces the evidence of a witness—

- (a) such evidence may be given orally or in writing;
- (b) if the witness gives evidence in writing—
 - (i) his evidence shall be read to the commanding officer by the accused or his accused's assisting officer; and
 - (ii) the accused shall provide the commanding officer with a copy of the evidence;
- (c) the commanding officer shall give the accused an opportunity to question the witness; and
- (d) the commanding officer may question the witness after the accused has had the opportunity to do so.