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STATUTORY INSTRUMENTS

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**2020 No. 759 (L. 19)**

**SENIOR COURTS OF ENGLAND AND WALES  
MAGISTRATES' COURTS,  
ENGLAND AND WALES**

**The Criminal Procedure Rules 2020**

*Made* - - - - - *15th July 2020*  
*Laid before Parliament* *20th July 2020*  
*Coming into force* *5th October 2020*

**THE CRIMINAL PROCEDURE RULES 2020**

**PART 1**

**THE OVERRIDING OBJECTIVE**

- 1.1 The overriding objective
- 1.2 The duty of the participants in a criminal case
- 1.3 The application by the court of the overriding objective

**PART 2**

**UNDERSTANDING AND APPLYING THE RULES; POWERS AND  
DUTIES OF COURT OFFICERS AND JUSTICES' LEGAL ADVISERS**

**UNDERSTANDING AND APPLYING THE RULES**

- 2.1 When the Rules apply
- 2.2 Definitions
- 2.3 References to legislation, including these Rules

**POWERS OF AUTHORISED COURT OFFICERS**

- 2.4 Exercise of court's functions by authorised court officers: general rules
- 2.5 Exercise of functions of the Court of Appeal
- 2.6 Exercise of functions of the High Court
- 2.7 Exercise of functions of the Crown Court

*Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)*

- 2.8 Exercise of functions of a magistrates' court
- 2.9 Exercise of functions of a District Judge (Magistrates' Courts) in extradition cases
- 2.10 Court's power to extend time under rule 2.6 or rule 2.7

#### POWERS OF COURT OFFICERS TO TAKE STATUTORY DECLARATIONS

- 2.11 Taking of statutory declarations by court officers

#### JUSTICES' LEGAL ADVISERS

- 2.12 Duties of justices' legal adviser

#### PART 3

#### CASE MANAGEMENT

#### GENERAL RULES

- 3.1 When this Part applies
- 3.2 The duty of the court
- 3.3 The duty of the parties
- 3.4 Case progression officers and their duties
- 3.5 The court's case management powers
- 3.6 Application to vary a direction
- 3.7 Agreement to vary a time limit fixed by a direction
- 3.8 Case preparation and progression
- 3.9 Ground rules hearing
- 3.10 Directions for commissioning medical reports, other than for sentencing purposes
- 3.11 Hearing to inform the court of sensitive material
- 3.12 Readiness for trial or appeal
- 3.13 Conduct of a trial or an appeal
- 3.14 Duty of court officer
- 3.15 Court's power to vary requirements under this Part

#### PREPARATION FOR TRIAL IN A MAGISTRATES' COURT

- 3.16 Pre-trial hearings in a magistrates' court: general rules
- 3.17 Place of magistrates' court trial
- 3.18 Use of Welsh language at magistrates' court trial

#### PREPARATION FOR TRIAL IN THE CROWN COURT

- 3.19 Service of prosecution evidence
- 3.20 Application to dismiss offence sent for Crown Court trial
- 3.21 Pre-trial hearings in the Crown Court: general rules
- 3.22 Preparatory hearing
- 3.23 Application for preparatory hearing
- 3.24 Application for non-jury trial containing information withheld from a defendant

- 3.25 Representations in response to application for preparatory hearing
- 3.26 Commencement of preparatory hearing
- 3.27 Defence trial advocate
- 3.28 Application to stay case for abuse of process
- 3.29 Application for joint or separate trials, etc.
- 3.30 Order for joint or separate trials, or amendment of the indictment
- 3.31 Application for indication of sentence
- 3.32 Arraigning the defendant
- 3.33 Place of Crown Court trial
- 3.34 Use of Welsh language at Crown Court trial

#### LIVE LINKS

- 3.35 Live link direction: exercise of court's powers
- 3.36 Content of application for a live link direction
- 3.37 Application to vary or rescind a live link direction
- 3.38 Application containing information withheld from another party
- 3.39 Representations in response

#### PART 4

#### SERVICE OF DOCUMENTS

- 4.1 When this Part applies
- 4.2 Methods of service
- 4.3 Service by handing over a document
- 4.4 Service by leaving or posting a document
- 4.5 Service by document exchange
- 4.6 Service by electronic means
- 4.7 Documents that must be served by specified methods
- 4.8 Service by person in custody
- 4.9 Service by another method
- 4.10 Documents that may not be served on a legal representative
- 4.11 Date of service
- 4.12 Proof of service
- 4.13 Court's power to give directions about service

#### PART 5

#### FORMS AND COURT RECORDS

#### FORMS

- 5.1 Applications, etc. by forms or electronic means
- 5.2 Forms in Welsh
- 5.3 Signature of forms

#### COURT RECORDS

- 5.4 Duty to make records
- 5.5 Recording and transcription of proceedings in the Crown Court
- 5.6 Custody of case materials

*Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)*

## ACCESS TO INFORMATION IN COURT RECORDS

- 5.7 The open justice principle
- 5.8 Request for information about a case
- 5.9 Request for information by a party or person directly affected by a case
- 5.10 Request for information determined by the court
- 5.11 Publication of information about court hearings, etc.
- 5.12 Request for certificate, extract or information under other legislation

## PART 6

### REPORTING, ETC. RESTRICTIONS

#### GENERAL RULES

- 6.1 When this Part applies
- 6.2 Exercise of court's powers to which this Part applies
- 6.3 Court's power to vary requirements under this Part

#### REPORTING AND ACCESS RESTRICTIONS

- 6.4 Reporting and access restrictions
- 6.5 Varying or removing restrictions
- 6.6 Trial in private
- 6.7 Representations in response
- 6.8 Order about restriction or trial in private

#### SOUND RECORDING AND ELECTRONIC COMMUNICATION

- 6.9 Sound recording and electronic communication
- 6.10 Forfeiture of unauthorised sound recording

## PART 7

### STARTING A PROSECUTION IN A MAGISTRATES' COURT

- 7.1 When this Part applies
- 7.2 Application for summons, etc.
- 7.3 Allegation of offence
- 7.4 Summons, warrant and requisition
- 7.5 Notice of defendant in custody
- 7.6 Arrangements for court to receive defendant in custody

## PART 8

### INITIAL DETAILS OF THE PROSECUTION CASE

- 8.1 When this Part applies
- 8.2 Providing initial details of the prosecution case
- 8.3 Content of initial details
- 8.4 Use of initial details

## PART 9

### ALLOCATION AND SENDING FOR TRIAL

## GENERAL RULES

- 9.1 When this Part applies
- 9.2 Exercise of magistrates' court's powers
- 9.3 Matters to be specified on sending for trial
- 9.4 Duty of justices' legal adviser
- 9.5 Duty of magistrates' court officer

### SENDING WITHOUT ALLOCATION FOR CROWN COURT TRIAL

- 9.6 Prosecutor's notice requiring Crown Court trial
- 9.7 Sending for Crown Court trial

### ALLOCATION FOR MAGISTRATES' COURT OR CROWN COURT TRIAL

- 9.8 Adult defendant: request for plea
- 9.9 Adult defendant: guilty plea
- 9.10 Adult defendant: not guilty plea
- 9.11 Adult defendant: allocation for magistrates' court trial
- 9.12 Adult defendant: prosecutor's application for Crown Court trial
- 9.13 Young defendant
- 9.14 Allocation and sending for Crown Court trial

### COMMITTAL FOR SENTENCE IN CONNECTION WITH SENDING FOR TRIAL

- 9.15 Committal for sentence for offence related to an offence sent for trial

### SENDING BACK, ETC. FOR MAGISTRATES' COURT TRIAL

- 9.16 Sending back or referring case for magistrates' court trial

## PART 10

### THE INDICTMENT

- 10.1 When this Part applies
- 10.2 The indictment: general rules
- 10.3 Draft indictment generated electronically on sending for trial
- 10.4 Draft indictment served by the prosecutor after sending for trial
- 10.5 Draft indictment served by the prosecutor with a High Court judge's permission
- 10.6 Draft indictment approved with deferred prosecution agreement
- 10.7 Draft indictment served by the prosecutor on re-instituting proceedings
- 10.8 Draft indictment served by the prosecutor at the direction of the Court of Appeal
- 10.9 Application to a High Court judge for permission to serve a draft indictment

*Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)*

## PART 11

### DEFERRED PROSECUTION AGREEMENTS

- 11.1 When this Part applies
- 11.2 Exercise of court's powers
- 11.3 Application to approve a proposal to enter an agreement
- 11.4 Application to approve the terms of an agreement
- 11.5 Application on breach of agreement
- 11.6 Application to approve a variation of the terms of an agreement
- 11.7 Application to lift suspension of prosecution
- 11.8 Notice to discontinue prosecution
- 11.9 Application to postpone the publication of information by the prosecutor
- 11.10 Duty of court officer, etc.
- 11.11 Court's power to vary requirements under this Part

## PART 12

### DISCONTINUING A PROSECUTION

- 12.1 When this Part applies
- 12.2 Discontinuing a case
- 12.3 Defendant's notice to continue

## PART 13

### WARRANTS FOR ARREST, DETENTION OR IMPRISONMENT

[Note. Part 30 contains rules about warrants to take goods...

- 13.1 When this Part applies
- 13.2 Terms of a warrant for arrest
- 13.3 Terms of a warrant for detention or imprisonment
- 13.4 Information to be included in a warrant
- 13.5 Execution of a warrant
- 13.6 Warrants that cease to have effect on payment
- 13.7 Warrant issued when the court office is closed

## PART 14

### BAIL AND CUSTODY TIME LIMITS

#### GENERAL RULES

- 14.1 When this Part applies
- 14.2 Exercise of court's powers: general
- 14.3 Duty of justices' legal adviser
- 14.4 General duties of court officer

#### BAIL

- 14.5 Prosecutor's representations about bail
- 14.6 Reconsideration of police bail by magistrates' court
- 14.7 Notice of application to consider bail
- 14.8 Defendant's application or appeal to the Crown Court after magistrates' court bail decision

- 14.9 Prosecutor's appeal against grant of bail
- 14.10 Consideration of bail in a murder case
- 14.11 Condition of residence
- 14.12 Electronic monitoring requirements
- 14.13 Accommodation or support requirements
- 14.14 Requirement for a surety or payment, etc.
- 14.15 Forfeiture of a recognizance given by a surety
- 14.16 Notice of arrest for breach of bail
- 14.17 Arrangements for court to receive defendant arrested for breach of bail

#### EXTENSION OF BAIL BEFORE CHARGE

- 14.18 Exercise of court's powers: extension of pre-charge bail
- 14.19 Application to authorise extension of pre-charge bail
- 14.20 Application to withhold information from the defendant

#### CUSTODY TIME LIMITS

- 14.21 Application to authorise extension of pre-charge bail
- 14.22 Appeal against custody time limit decision

#### PART 15

#### DISCLOSURE

- 15.1 When this Part applies
- 15.2 Prosecution disclosure
- 15.3 Prosecutor's application for public interest ruling
- 15.4 Defence disclosure
- 15.5 Defendant's application for prosecution disclosure
- 15.6 Review of public interest ruling
- 15.7 Defendant's application to use disclosed material
- 15.8 Unauthorised use of disclosed material
- 15.9 Court's power to vary requirements under this Part

#### PART 16

#### WRITTEN WITNESS STATEMENTS

- 16.1 When this Part applies
- 16.2 Content of written witness statement
- 16.3 Reference to exhibit
- 16.4 Written witness statement in evidence

#### PART 17

#### WITNESS SUMMONSES, WARRANTS AND ORDERS

- 17.1 When this Part applies
- 17.2 Issue etc. of summons, warrant or order with or without a hearing
- 17.3 Application for summons, warrant or order: general rules
- 17.4 Written application: form and service
- 17.5 Application for summons to produce a document, etc.: special rules
- 17.6 Application for summons to produce a document, etc.: court's assessment of relevance and confidentiality

*Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)*

- 17.7 Application to withdraw a summons, warrant or order
- 17.8 Court's power to vary requirements under this Part

## PART 18

Measures to help a witness or defendant to give evidence or otherwise participate

### GENERAL RULES

- 18.1 When this Part applies
- 18.2 Meaning of 'witness' and 'live link'
- 18.3 Meaning of 'intermediary' and 'intermediary's report'
- 18.4 Making an application for a direction or order
- 18.5 Decisions and reasons
- 18.6 Court's power to vary requirements under this Part
- 18.7 Custody of documents

### SPECIAL MEASURES DIRECTIONS

- 18.8 Exercise of court's powers
- 18.9 Special measures direction without application
- 18.10 Content of application for a special measures direction
- 18.11 Application to vary or discharge a special measures direction
- 18.12 Application containing information withheld from another party
- 18.13 Representations in response

### DEFENDANT'S EVIDENCE DIRECTIONS

- 18.14 Exercise of court's powers
- 18.15 Content of application for a defendant's evidence direction
- 18.16 Application to vary or discharge a defendant's evidence direction
- 18.17 Representations in response

### WITNESS ANONYMITY ORDERS

- 18.18 Exercise of court's powers
- 18.19 Content and conduct of application for a witness anonymity order
- 18.20 Duty of court officer to notify the Director of Public Prosecutions
- 18.21 Application to vary or discharge a witness anonymity order
- 18.22 Representations in response

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### INTERMEDIARY FOR A DEFENDANT

- 18.23 Appointment of intermediary to facilitate a defendant's participation
- 18.24 Application to vary or discharge the appointment of an intermediary for a defendant
- 18.25 Representations in response to application or proposal



## DUTIES OF INTERMEDIARIES

- 18.26 Intermediary's duty to the court
- 18.27 Declaration by intermediary
- 18.28 Content of intermediary's report
- 18.29 Representations in response to application or proposal
- 18.30 Intermediary's duty to the court
- 18.31 Declaration by intermediary
- 18.32 Content of intermediary's report

## PART 19

### EXPERT EVIDENCE

- 19.1 When this Part applies
- 19.2 Expert's duty to the court
- 19.3 Introduction of expert evidence
- 19.4 Content of expert's report
- 19.5 Expert to be informed of service of report
- 19.6 Pre-hearing discussion of expert evidence
- 19.7 Court's power to direct that evidence is to be given by a single joint expert
- 19.8 Instructions to a single joint expert
- 19.9 Application to withhold information from another party
- 19.10 Court's power to vary requirements under this Part

## PART 20

### HEARSAY EVIDENCE

- 20.1 When this Part applies
- 20.2 Notice to introduce hearsay evidence
- 20.3 Opposing the introduction of hearsay evidence
- 20.4 Unopposed hearsay evidence
- 20.5 Court's power to vary requirements under this Part

## PART 21

### EVIDENCE OF BAD CHARACTER

- 21.1 When this Part applies
- 21.2 Content of application or notice
- 21.3 Application to introduce evidence of a non-defendant's bad character
- 21.4 Notice to introduce evidence of a defendant's bad character
- 21.5 Reasons for decisions
- 21.6 Court's power to vary requirements under this Part

## PART 22

### EVIDENCE OF A COMPLAINANT'S PREVIOUS SEXUAL BEHAVIOUR

- 22.1 When this Part applies
- 22.2 Exercise of court's powers
- 22.3 Decisions and reasons
- 22.4 Application for permission to introduce evidence or cross-examine
- 22.5 Application containing information withheld from another party
- 22.6 Representations in response

*Changes to legislation:* There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)

- 22.7 Special measures, etc. for a witness
- 22.8 Court's power to vary requirements under this Part

#### PART 23

### RESTRICTION ON CROSS-EXAMINATION BY A DEFENDANT

#### GENERAL RULES

- 23.1 When this Part applies
- 23.2 Appointment of advocate to cross-examine witness

#### APPLICATION TO PROHIBIT CROSS-EXAMINATION

- 23.3 Exercise of court's powers
- 23.4 Application to prohibit cross-examination
- 23.5 Application to discharge prohibition imposed by the court
- 23.6 Application containing information withheld from another party
- 23.7 Representations in response
- 23.8 Court's power to vary requirements

#### PART 24

### TRIAL AND SENTENCE IN A MAGISTRATES' COURT

[Note. Part 3 contains rules about case management that apply...

- 24.1 When this Part applies
- 24.2 General rules
- 24.3 Procedure on plea of not guilty
- 24.4 Evidence of a witness in person
- 24.5 Evidence of a witness in writing
- 24.6 Evidence by admission
- 24.7 Procedure on plea of guilty
- 24.8 Written guilty plea: special rules
- 24.9 Single justice procedure: special rules
- 24.10 Application to withdraw a guilty plea
- 24.11 Procedure if the court convicts
- 24.12 Procedure where a party is absent
- 24.13 Provision of documents for the court
- 24.14 Duty of justices' legal adviser
- 24.15 Duty of court officer and custodian

#### PART 25

### TRIAL AND SENTENCE IN THE CROWN COURT

[Note. Part 3 contains rules about case management that apply...

- 25.1 When this Part applies
- 25.2 General powers and requirements
- 25.3 Application for ruling on procedure, evidence or other question of law
- 25.4 Procedure on plea of guilty
- 25.5 Application to vacate a guilty plea
- 25.6 Selecting the jury
- 25.7 Discharging jurors
- 25.8 Objecting to jurors

- 25.9 Procedure on plea of not guilty
- 25.10 Defendant unfit to plead
- 25.11 Evidence of a witness in person
- 25.12 Evidence of a witness in writing
- 25.13 Evidence by admission
- 25.14 Directions to the jury and taking the verdict
- 25.15 Conviction or acquittal without a jury
- 25.16 Procedure if the court convicts
- 25.17 Provision of documents for the court
- 25.18 Duty of court officer and custodian

#### PART 26

#### JURORS

- 26.1 Appeal against officer's refusal to excuse or postpone jury service
- 26.2 Excusal from jury service by court
- 26.3 Provision of information for jurors
- 26.4 Assessment of juror's availability for long trial, etc.
- 26.5 Surrender of electronic communication devices by jurors
- 26.6 Interpretation for a deaf juror

#### PART 27

#### RETRIAL AFTER ACQUITTAL

#### GENERAL

- 27.1 When this Part applies

#### APPLICATION FOR CERTIFICATE TO ALLOW ORDER FOR RETRIAL

- 27.2 Application for certificate

#### APPLICATION TO COURT OF APPEAL TO QUASH ACQUITTAL AND ORDER RETRIAL

- 27.3 Application for reporting restriction pending application for order for retrial
- 27.4 Application for order for retrial
- 27.5 Respondent's notice
- 27.6 Application to Crown Court for summons or warrant
- 27.7 Application of other rules about procedure in the Court of Appeal

#### PART 28

Sentencing procedures in special cases and on committal for sentence, etc.

[Note. See also— (a) Part 24, which contains rules about...

- 28.1 Reasons for not following usual sentencing requirements
- 28.2 Notice of requirements of suspended sentence and community, etc. orders
- 28.3 Notification requirements
- 28.4 Variation of sentence
- 28.5 Application to vary or discharge a compensation, etc. order
- 28.6 Application to remove, revoke or suspend a disqualification or restriction
- 28.7 Application for a restitution order by the victim of a theft

*Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)*

- 28.8 Directions for commissioning medical reports for sentencing purposes
- 28.9 Information to be supplied on committal to custody or admission to hospital or guardianship
- 28.10 Committal or remission, etc. for sentence
- 28.11 Application to review sentence because of assistance given or withheld
- 28.12 Sentencing, etc. after committal to the Crown Court

#### PART 29

### ROAD TRAFFIC PENALTIES

[Note. Part 24 contains rules about the general procedure on...

- 29.1 Representations about obligatory disqualification or endorsement
- 29.2 Application to remove a disqualification from driving
- 29.3 Information to be supplied on order for endorsement of driving record, etc.
- 29.4 Statutory declaration to avoid fine after fixed penalty notice
- 29.5 Application for declaration about a course or programme certificate decision
- 29.6 Appeal against recognition of foreign driving disqualification

#### PART 30

### ENFORCEMENT OF FINES AND OTHER ORDERS FOR PAYMENT

[Note. Part 13 contains rules about warrants for arrest, detention...

Part 24 contains rules about the procedure on sentencing in...

Part 28 contains rules about the exercise of a magistrates'...

- 30.1 When this Part applies
- 30.2 Exercise of court's powers; duty of justices' legal adviser
- 30.3 Duty to give receipt
- 30.4 Appeal against decision of fines officer
- 30.5 Application to reduce a fine, vary payment terms or remit a courts charge
- 30.6 Claim to avoid fine after penalty notice
- 30.7 Information to be included in a warrant of control
- 30.8 Warrant of control: application by enforcement agent for extension of time, etc.
- 30.9 Warrant of control: application to resolve dispute
- 30.10 Financial penalties imposed in other European Union member States

#### PART 31

### BEHAVIOUR ORDERS

[Note. See Part 3 for the court's general powers to...

- 31.1 When this Part applies
- 31.2 Behaviour orders and bind overs: general rules
- 31.3 Application for behaviour order and notice of terms of proposed order: special rules
- 31.4 Evidence to assist the court: special rules
- 31.5 Application to vary, renew, discharge or revoke behaviour order
- 31.6 Notice of hearsay evidence
- 31.7 Cross-examination of maker of hearsay statement
- 31.8 Credibility and consistency of maker of hearsay statement
- 31.9 Notice to supervisor of requirement for supervision or monitoring
- 31.10 Bind over: exercise of court's powers
- 31.11 Bind over: refusal or breach

- 31.12 Court's power to vary requirements under this Part

#### PART 32

### BREACH, REVOCATION AND AMENDMENT OF COMMUNITY AND OTHER ORDERS

- 32.1 When this Part applies
- 32.2 Application by responsible officer or supervisor
- 32.3 Application by defendant or person affected
- 32.4 Procedure on application by responsible officer or supervisor

#### PART 33

### CONFISCATION AND RELATED PROCEEDINGS

#### GENERAL RULES

- 33.1 Interpretation
- 33.2 Calculation of time
- 33.3 Court office closed
- 33.4 Application for registration of Scottish or Northern Ireland order
- 33.5 Application to vary or set aside registration
- 33.6 Register of orders
- 33.7 Statements of truth
- 33.8 Use of witness statements for other purposes
- 33.9 Service of documents
- 33.10 Service outside the jurisdiction
- 33.11 Certificates of service
- 33.12 External requests and orders

#### CONFISCATION PROCEEDINGS

- 33.13 Statements in connection with confiscation orders
- 33.14 Application for compliance order
- 33.15 Application for reconsideration
- 33.16 Application for new calculation of available amount
- 33.17 Variation of confiscation order due to inadequacy of available amount
- 33.18 Application by magistrates' court officer to discharge confiscation order
- 33.19 Application for variation of confiscation order made against an absconder
- 33.20 Application for discharge of confiscation order made against an absconder
- 33.21 Application for increase in term of imprisonment in default
- 33.22 Compensation – general
- 33.23 Compensation – confiscation order made against absconder
- 33.24 Payment of money held or detained in satisfaction of confiscation order
- 33.25 Application to realise seized property
- 33.26 Appeal about decision on application to realise seized property
- 33.27 Application for direction about surplus proceeds

#### SEIZURE AND DETENTION PROCEEDINGS

- 33.28 Application for approval to seize property or to search
- 33.29 Application to extend detention period
- 33.30 Application to vary or discharge order for extended detention

33.31 Appeal about property detention decision

## RESTRAINT AND RECEIVERSHIP PROCEEDINGS: RULES THAT APPLY GENERALLY

- 33.32 Taking control of goods and forfeiture
- 33.33 Joining of applications
- 33.34 Applications to be dealt with in writing
- 33.35 Business in chambers
- 33.36 Power of court to control evidence
- 33.37 Evidence of witnesses
- 33.38 Witness summons
- 33.39 Hearsay evidence
- 33.40 Disclosure and inspection of documents
- 33.41 Court documents
- 33.42 Consent orders
- 33.43 Slips and omissions
- 33.44 Supply of documents from court records
- 33.45 Disclosure of documents in criminal proceedings
- 33.46 Preparation of documents
- 33.47 Order for costs
- 33.48 Assessment of costs
- 33.49 Time for complying with an order for costs
- 33.50 Application of costs rules

## RESTRAINT PROCEEDINGS

- 33.51 Application for restraint order or ancillary order
- 33.52 Restraint and ancillary orders
- 33.53 Application for discharge or variation of restraint or ancillary order by a person affected by the order
- 33.54 Application for variation of restraint or ancillary order by the person who applied for the order
- 33.55 Application for discharge of restraint or ancillary order by the person who applied for the order

## RECEIVERSHIP PROCEEDINGS

- 33.56 Application for appointment of a management or an enforcement receiver
- 33.57 Application for conferral of powers on a management receiver or an enforcement receiver
- 33.58 Applications for discharge or variation of receivership orders, and applications for other orders
- 33.59 Sums in the hands of receivers
- 33.60 Security
- 33.61 Remuneration
- 33.62 Accounts
- 33.63 Non-compliance by receiver

## PROCEEDINGS UNDER THE CRIMINAL JUSTICE ACT 1988 AND THE DRUG TRAFFICKING ACT 1994

[Note. The relevant provisions of the 1988 and 1994 Acts...

- 33.64 Statements, etc. relevant to making confiscation orders
- 33.65 Postponed determinations
- 33.66 Confiscation orders - revised assessments
- 33.67 Application to the Crown Court to discharge or vary order to make material available
- 33.68 Application to the Crown Court for increase in term of imprisonment in default of payment
- 33.69 Drug trafficking – compensation on acquittal in the Crown Court

### CONTEMPT PROCEEDINGS

- 33.70 Application to punish for contempt of court

#### PART 34

### APPEAL TO THE CROWN COURT

- 34.1 When this Part applies
- 34.2 Service of appeal and respondent's notices
- 34.3 Form of appeal and respondent's notices
- 34.4 Duty of magistrates' court officer
- 34.5 Duty of person keeping exhibit
- 34.6 Reference by the Criminal Cases Review Commission
- 34.7 Preparation for appeal
- 34.8 Hearings and decisions
- 34.9 Abandoning an appeal
- 34.10 Court's power to vary requirements under this Part
- 34.11 Constitution of the Crown Court

#### PART 35

### APPEAL TO THE HIGH COURT BY CASE STATED

- 35.1 When this Part applies
- 35.2 Application to state a case
- 35.3 Preparation of case stated
- 35.4 Duty of justices' legal adviser
- 35.5 Court's power to vary requirements under this Part

#### PART 36

### APPEAL TO THE COURT OF APPEAL: GENERAL RULES

- 36.1 When this Part applies
- 36.2 Case management in the Court of Appeal
- 36.3 Power to vary requirements
- 36.4 Application for extension of time
- 36.5 Renewing an application refused by a judge or the Registrar
- 36.6 Hearings
- 36.7 Notice of hearings and decisions
- 36.8 Duty of Crown Court officer

*Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)*

- 36.9 Duty of person transcribing proceedings in the Crown Court
- 36.10 Duty of person keeping exhibit
- 36.11 Registrar's duty to provide copy documents for appeal or reference
- 36.12 Declaration of incompatibility with a Convention right
- 36.13 Abandoning an appeal
- 36.14 Grounds of appeal and opposition
- 36.15 Reopening the determination of an appeal

#### PART 37

### APPEAL TO THE COURT OF APPEAL AGAINST RULING AT PREPARATORY HEARING

- 37.1 When this Part applies
- 37.2 Service of appeal notice
- 37.3 Form of appeal notice
- 37.4 Crown Court judge's permission to appeal
- 37.5 Respondent's notice
- 37.6 Powers of Court of Appeal judge
- 37.7 Renewing applications
- 37.8 Right to attend hearing

#### PART 38

### APPEAL TO THE COURT OF APPEAL AGAINST RULING ADVERSE TO PROSECUTION

- 38.1 When this Part applies
- 38.2 Decision to appeal
- 38.3 Service of appeal notice
- 38.4 Form of appeal notice
- 38.5 Crown Court judge's permission to appeal
- 38.6 Expediting an appeal
- 38.7 Respondent's notice
- 38.8 Public interest ruling
- 38.9 Powers of Court of Appeal judge
- 38.10 Renewing applications
- 38.11 Right to attend hearing

#### PART 39

### APPEAL TO THE COURT OF APPEAL ABOUT CONVICTION OR SENTENCE

- 39.1 When this Part applies
- 39.2 Service of appeal notice
- 39.3 Form of appeal notice
- 39.4 Crown Court judge's certificate that case is fit for appeal
- 39.5 Reference by Criminal Cases Review Commission
- 39.6 Respondent's notice
- 39.7 Introducing evidence
- 39.8 Application for bail, or to suspend a disqualification or order, pending appeal or retrial
- 39.9 Conditions of bail pending appeal or retrial
- 39.10 Forfeiture of a recognizance given as a condition of bail
- 39.11 Right to attend hearing
- 39.12 Power to vary determination of appeal against sentence
- 39.13 Directions about re-admission to hospital on dismissal of appeal
- 39.14 Renewal or setting aside of order for retrial



## PART 40

### APPEAL TO THE COURT OF APPEAL ABOUT REPORTING OR PUBLIC ACCESS RESTRICTION

- 40.1 When this Part applies
- 40.2 Service of appeal notice
- 40.3 Form of appeal notice
- 40.4 Advance notice of appeal against order restricting public access
- 40.5 Duty of applicant for order restricting public access
- 40.6 Respondent's notice on appeal against reporting restriction
- 40.7 Renewing applications
- 40.8 Right to introduce evidence
- 40.9 Right to attend hearing

## PART 41

### REFERENCE TO THE COURT OF APPEAL OF POINT OF LAW OR UNDULY LENIENT SENTENCING

- 41.1 When this Part applies
- 41.2 Service of notice of reference and application for permission
- 41.3 Form of notice of reference and application for permission
- 41.4 Respondent's notice
- 41.5 Variation or withdrawal of notice of reference or application for permission
- 41.6 Right to attend hearing
- 41.7 Anonymity of defendant on reference of point of law

## PART 42

### APPEAL TO THE COURT OF APPEAL IN CONFISCATION AND RELATED PROCEEDINGS

#### GENERAL RULES

- 42.1 Extension of time
- 42.2 Other applications
- 42.3 Examination of witness by court
- 42.4 Supply of documentary and other exhibits
- 42.5 Registrar's power to require information from court of trial
- 42.6 Hearing by single judge
- 42.7 Determination by full court
- 42.8 Notice of determination and renewal of application for permission to appeal
- 42.9 Record of proceedings and transcripts
- 42.10 Appeal to the Supreme Court

#### CONFISCATION: APPEAL BY PROSECUTOR OR BY PERSON WITH INTEREST IN PROPERTY

- 42.11 Notice of appeal
- 42.12 Respondent's notice
- 42.13 Amendment and abandonment of appeal

*Changes to legislation:* There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)

## APPEAL ABOUT COMPLIANCE, RESTRAINT OR RECEIVERSHIP ORDER

- 42.14 Permission to appeal
- 42.15 Notice of appeal
- 42.16 Respondent's notice
- 42.17 Amendment and abandonment of appeal
- 42.18 Stay
- 42.19 Striking out appeal notices and setting aside or imposing conditions on permission to appeal
- 42.20 Hearing of appeals

### PART 43

#### APPEAL OR REFERENCE TO THE SUPREME COURT

- 43.1 When this Part applies
- 43.2 Application for permission or reference
- 43.3 Determination of detention pending appeal, etc.
- 43.4 Bail pending appeal

### PART 44

#### REOPENING A CASE IN A MAGISTRATES' COURT

[Note. See also Part 24 (Trial and sentence in a...

- 44.1 When this Part applies
- 44.2 Statutory declaration of ignorance of proceedings
- 44.3 Setting aside a conviction or varying a costs, etc. order

### PART 45

#### COSTS

##### GENERAL RULES

- 45.1 When this Part applies
- 45.2 Costs orders: general rules
- 45.3 Court's power to vary requirements

##### COSTS OUT OF CENTRAL FUNDS

- 45.4 Costs out of central funds

##### PAYMENT OF COSTS BY ONE PARTY TO ANOTHER

- 45.5 Costs on conviction and sentence, etc.
- 45.6 Costs on appeal
- 45.7 Costs on an application
- 45.8 Costs resulting from unnecessary or improper act, etc.

##### OTHER COSTS ORDERS

- 45.9 Costs against a legal representative

- 45.10 Costs against a third party

#### ASSESSMENT OF COSTS

- 45.11 Assessment and re-assessment
- 45.12 Appeal to a costs judge
- 45.13 Appeal to a High Court judge
- 45.14 Application for an extension of time

#### PART 46

#### REPRESENTATIVES

- 46.1 Functions of representatives and supporters
- 46.2 Notice of appointment, etc. of legal representative: general rules
- 46.3 Application to change legal representative (legal aid): general rules
- 46.4 Application by defendant to change legal representative (legal aid)
- 46.5 Application by legal representative to withdraw (legal aid)

#### PART 47

#### INVESTIGATION ORDERS AND WARRANTS

##### SECTION 1: GENERAL RULES

- 47.1 When this Part applies
- 47.2 Meaning of ‘court’, ‘applicant’ and ‘respondent’
- 47.3 Documents and recordings held by the court officer

##### SECTION 2: INVESTIGATION ORDERS

- 47.4 When this Section applies
- 47.5 Exercise of court’s powers
- 47.6 Application for order: general rules
- 47.7 Application containing information withheld from a respondent or other person
- 47.8 Application to vary or discharge an order
- 47.9 Application to punish for contempt of court

##### ORDERS UNDER THE POLICE AND CRIMINAL EVIDENCE ACT 1984

- 47.10 Application for a production order under the Police and Criminal Evidence Act 1984

##### ORDERS UNDER THE TERRORISM ACT 2000

- 47.11 Application for an order under the Terrorism Act 2000
- 47.12 Content of application for a production etc. order under the Terrorism Act 2000
- 47.13 Content of application for a disclosure order or further information order under the Terrorism Act 2000

*Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)*

- 47.14 Content of application for an explanation order under the Terrorism Act 2000
- 47.15 Content of application for a customer information order under the Terrorism Act 2000
- 47.16 Content of application for an account monitoring order under the Terrorism Act 2000

#### ORDERS UNDER THE PROCEEDS OF CRIME ACT 2002

- 47.17 Application for an order under the Proceeds of Crime Act 2002
- 47.18 Content of application for a production order under the Proceeds of Crime Act 2002
- 47.19 Content of application for an order to grant entry under the Proceeds of Crime Act 2002
- 47.20 Content of application for a disclosure order or further information order under the Proceeds of Crime Act 2002
- 47.21 Content of application for a customer information order under the Proceeds of Crime Act 2002
- 47.22 Content of application for an account monitoring order under the Proceeds of Crime Act 2002

#### ORDERS UNDER THE EXTRADITION ACT 2003

- 47.23 Application for a production order under the Extradition Act 2003

#### SECTION 3: INVESTIGATION WARRANTS

- 47.24 When this Section applies
- 47.25 Exercise of court's powers
- 47.26 Application for warrant: general rules
- 47.27 Information to be included in a warrant
- 47.28 Application for warrant under section 8 of the Police and Criminal Evidence Act 1984
- 47.29 Application for warrant under section 2 of the Criminal Justice Act 1987
- 47.30 Application for warrant under paragraph 12 of Schedule 1 to the Police and Criminal Evidence Act 1984
- 47.31 Application for warrant under paragraph 11 of Schedule 5 to the Terrorism Act 2000
- 47.32 Application for warrant under section 352 of the Proceeds of Crime Act 2002
- 47.33 Application for warrant under section 160 of the Extradition Act 2003
- 47.34 Application for warrant under any other power

#### SECTION 4: ORDERS FOR THE RETENTION OR RETURN OF PROPERTY

- 47.35 When this Section applies
- 47.36 Exercise of court's powers
- 47.37 Application for an order under section 1 of the Police (Property) Act 1997
- 47.38 Application for an order under section 59 of the Criminal Justice and Police Act 2001
- 47.39 Application containing information withheld from another party

- 47.40 Representations in response
- 47.41 Application to punish for contempt of court

#### SECTION 5: ORDERS FOR THE RETENTION OF FINGERPRINTS, ETC.

- 47.42 When this Section applies
- 47.43 Exercise of court's powers
- 47.44 Application to extend retention period
- 47.45 Appeal

#### SECTION 6: INVESTIGATION ANONYMITY ORDERS UNDER THE CORONERS AND JUSTICE ACT 2009

- 47.46 When this Section applies
- 47.47 Exercise of court's powers
- 47.48 Application for an investigation anonymity order
- 47.49 Application to discharge an investigation anonymity order
- 47.50 Appeal

#### SECTION 7: INVESTIGATION APPROVAL ORDERS UNDER THE REGULATION OF INVESTIGATORY POWERS ACT 2000

- 47.51 When this Section applies
- 47.52 Exercise of court's powers
- 47.53 Application for approval for authorisation or notice

#### SECTION 8: ORDERS FOR ACCESS TO DOCUMENTS, ETC. UNDER THE CRIMINAL APPEAL ACT 1995

- 47.54 When this Section applies
- 47.55 Exercise of court's powers
- 47.56 Application for an order for access
- 47.57 Application containing information withheld from a respondent or other person
- 47.58 Application to punish for contempt of court

#### SECTION 9: ORDERS FOR THE EXTENSION OF A MORATORIUM PERIOD UNDER THE PROCEEDS OF CRIME ACT 2002

- 47.59 When this Section applies
- 47.60 Exercise of court's powers
- 47.61 Application for extension of moratorium period
- 47.62 Application containing information withheld from a respondent

#### SECTION 10: ORDERS FOR ACCESS TO ELECTRONIC DATA UNDER THE CRIME (OVERSEAS PRODUCTION ORDERS) ACT 2019

- 47.63 When this Section applies
- 47.64 Exercise of court's powers
- 47.65 Application for order

*Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)*

- 47.66 Application to vary or revoke an order
- 47.67 Application containing information withheld from a respondent or other person
- 47.68 Application to punish for contempt of court

Section 11 ...

- 47.69 Application to vary or revoke an order
- 47.70 Application containing information withheld from a respondent or other person
- 47.71 Application to punish for contempt of court

PART 48

CONTEMPT OF COURT

GENERAL RULES

- 48.1 When this Part applies
- 48.2 Exercise of court's power to deal with contempt of court
- 48.3 Notice of suspension of imprisonment by Court of Appeal or Crown Court
- 48.4 Application to discharge an order for imprisonment

CONTEMPT OF COURT BY OBSTRUCTION, DISRUPTION, ETC.

- 48.5 Initial procedure on obstruction, disruption, etc.
- 48.6 Review after temporary detention
- 48.7 Postponement of enquiry
- 48.8 Procedure on enquiry

CONTEMPT OF COURT BY FAILURE TO COMPLY WITH COURT ORDER, ETC.

- 48.9 Initial procedure on failure to comply with court order, etc.
- 48.10 Procedure on hearing
- 48.11 Introduction of written witness statement or other hearsay
- 48.12 Content of written witness statement
- 48.13 Content of notice of other hearsay
- 48.14 Cross-examination of maker of written witness statement or other hearsay
- 48.15 Credibility and consistency of maker of written witness statement or other hearsay
- 48.16 Magistrates' courts' powers to adjourn, etc.
- 48.17 Court's power to vary requirements

PART 49

INTERNATIONAL CO-OPERATION

- 49.1 Notice required to accompany process served outside the United Kingdom and translations
- 49.2 Proof of service outside the United Kingdom
- 49.3 Supply of copy of notice of request for assistance abroad
- 49.4 Persons entitled to appear and take part in proceedings before a nominated court, and exclusion of the public

- 49.5 Record of proceedings to receive evidence before a nominated court
- 49.6 Interpreter for the purposes of proceedings involving a television or telephone link
- 49.7 Record of television link hearing before a nominated court
- 49.8 Record of telephone link hearing before a nominated court
- 49.9 Overseas record
- 49.10 Overseas freezing orders
- 49.11 Overseas forfeiture orders
- 49.12 Overseas restraint orders
- 49.13 Overseas confiscation orders
- 49.14 Giving effect to a European investigation order for the receipt of oral evidence
- 49.15 Giving effect to a European investigation order for hearing a person by live link
- 49.16 Giving effect to a European investigation order by issuing a search warrant or production, etc. order
- 49.17 Application to vary or revoke a search warrant or production etc. order issued to give effect to a European investigation order

## PART 50

### EXTRADITION

#### SECTION 1: GENERAL RULES

- 50.1 When this Part applies
- 50.2 Special objective in extradition proceedings

#### SECTION 2: EXTRADITION PROCEEDINGS IN A MAGISTRATES' COURT

- 50.3 Exercise of magistrates' court's powers
- 50.4 Case management in the magistrates' court and duty of court officer

#### EXTRADITION UNDER PART 1 OF THE EXTRADITION ACT 2003

- 50.5 Preliminary hearing after arrest
- 50.6 Extradition hearing
- 50.7 Discharge where warrant withdrawn

#### EXTRADITION UNDER PART 2 OF THE EXTRADITION ACT 2003

- 50.8 Issue of arrest warrant
- 50.9 Preliminary hearing after arrest
- 50.10 Issue of provisional arrest warrant
- 50.11 Preliminary hearing after provisional arrest
- 50.12 Arrangement of extradition hearing after provisional arrest
- 50.13 Extradition hearing
- 50.14 Discharge where extradition request withdrawn

*Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020. (See end of Document for details)*

## EVIDENCE AT EXTRADITION HEARING

50.15 Introduction of additional evidence

### DISCHARGE AFTER FAILURE TO COMPLY WITH A TIME LIMIT

50.16 Defendant's application to be discharged

## SECTION 3: APPEAL TO THE HIGH COURT

[Note. Under Part 1 of the Extradition Act 2003—

Under Part 2 of the 2003 Act—

In each case the appellant needs the High Court's permission...

50.17 Exercise of the High Court's powers

50.18 Case management in the High Court

50.19 Service of appeal notice

50.20 Form of appeal notice

50.21 Respondent's notice

50.22 Renewing an application for permission to appeal, restoring excluded grounds, etc.

50.23 Appeal hearing

50.24 Early termination of appeal: order by consent, etc.

50.25 Application for permission to appeal to the Supreme Court

50.26 Determination of detention pending appeal to the Supreme Court against discharge

50.27 Reopening the determination of an appeal

50.28 Declaration of incompatibility with a Convention right

50.29 Duties of court officers

50.30 Constitution of the High Court

50.31 Payment of High Court fees

## SECTION 4: POST-EXTRADITION PROCEEDINGS

50.32 Application for consent to deal with another offence or for consent to further extradition

## Glossary

Signature

Explanatory Note



**Changes to legislation:**

There are currently no known outstanding effects for the The Criminal Procedure Rules 2020.