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STATUTORY INSTRUMENTS

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**2020 No. 759**

The Criminal Procedure Rules 2020

PART 8

INITIAL DETAILS OF THE PROSECUTION CASE

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**When this Part applies**

**8.1.** This Part applies in a magistrates' court.

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**Commencement Information**

**I1** Rule 8.1 in force at 5.10.2020, see Preamble

**Providing initial details of the prosecution case**

- 8.2.—**(1) The prosecutor must serve initial details of the prosecution case on the court officer—
- (a) as soon as practicable; and
  - (b) in any event, no later than the beginning of the day of the first hearing.
- (2) Where a defendant requests those details, the prosecutor must serve them on the defendant—
- (a) as soon as practicable; and
  - (b) in any event, no later than the beginning of the day of the first hearing.
- (3) Where a defendant does not request those details, the prosecutor must make them available to the defendant at, or before, the beginning of the day of the first hearing.

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**Commencement Information**

**I2** Rule 8.2 in force at 5.10.2020, see Preamble

**Content of initial details**

**8.3.** Initial details of the prosecution case must include—

- (a) where, immediately before the first hearing in the magistrates' court, the defendant was in police custody for the offence charged—
  - (i) a summary of the circumstances of the offence, and
  - (ii) the defendant's criminal record, if any; or
- (b) where paragraph (a) does not apply—
  - (i) a summary of the circumstances of the offence,
  - (ii) any account given by the defendant in interview, whether contained in that summary or in another document,
  - (iii) any written witness statement or exhibit that the prosecutor then has available and considers material to plea, or to the allocation of the case for trial, or to sentence,
  - (iv) the defendant's criminal record, if any, and
  - (v) any available statement of the effect of the offence on a victim, a victim's family or others.

**Commencement Information**

**I3** Rule 8.3 in force at 5.10.2020, see Preamble

**Use of initial details**

**8.4.—(1)** This rule applies where—

- (a) the prosecutor wants to introduce information contained in a document listed in rule 8.3; and
  - (b) the prosecutor has not—
    - (i) served that document on the defendant, or
    - (ii) made that information available to the defendant.
- (2) The court must not allow the prosecutor to introduce that information unless the court first allows the defendant sufficient time to consider it.

**Commencement Information**

**I4** Rule 8.4 in force at 5.10.2020, see Preamble

**Changes to legislation:**

There are currently no known outstanding effects for the The Criminal Procedure Rules 2020, PART 8.