
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 28

[^{F1}Sentencing procedures in special cases and on committal for sentence, etc.]

Notice of requirements of suspended sentence and community, etc. orders

- 28.2.**—(1) This rule applies where the court—
- (a) makes a suspended sentence order;
 - (b) imposes a requirement under—
 - (i) a community order,
 - (ii) a youth rehabilitation order, or
 - (iii) a suspended sentence order; or
 - (c) orders the defendant to attend meetings with a supervisor.
- (2) The court officer must notify—
- (a) the defendant of—
 - (i) the length of the sentence suspended by a suspended sentence order, and
 - (ii) the period of the suspension;
 - (b) the defendant and, where the defendant is under 14, an appropriate adult, of—
 - (i) any requirement or requirements imposed, and
 - (ii) the identity of any responsible officer or supervisor, and the means by which that person may be contacted;
 - (c) any responsible officer or supervisor, and, where the defendant is under 14, the appropriate qualifying officer (if that is not the responsible officer), of—
 - (i) the defendant's name, address and telephone number (if available),
 - (ii) the offence or offences of which the defendant was convicted, and
 - (iii) the requirement or requirements imposed; and
 - (d) the person affected, where the court imposes a requirement—
 - (i) for the protection of that person from the defendant, or
 - (ii) requiring the defendant to reside with that person.
- (3) If the court imposes an electronic monitoring requirement, the monitor of which is not the responsible officer, the court officer must—
- (a) notify the defendant and, where the defendant is under 16, an appropriate adult, of the monitor's identity, and the means by which the monitor may be contacted; and
 - (b) notify the monitor of—

Changes to legislation: The Criminal Procedure Rules 2020, Section 28.2 is up to date with all changes known to be in force on or before 22 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (i) the defendant's name, address and telephone number (if available),
- (ii) the offence or offences of which the defendant was convicted,
- (iii) the place or places at which the defendant's presence must be monitored,
- (iv) the period or periods during which the defendant's presence there must be monitored, and
- (v) the identity of the responsible officer, and the means by which that officer may be contacted.

[Note. See ^{F1}sections 212(2) and 298(2) of the Sentencing Act 2020] ; ^{F1}section 190(2) of the 2020 Act] ; and section 1A(7) of the Street Offences Act 1959(1).

For the circumstances in which the court may—

- (a) make a suspended sentence order, see ^{F2}sections 264, 277, 286 and 288 of the 2020 Act] ;
- ^{F3}(b) make a community order (defined by section 200 of the 2020 Act), or a youth rehabilitation order (defined by section 173(1) of that Act), and for the identity and duties of responsible officers and qualifying officers, see generally Chapters 1 and 2 of Part 9 of the 2020 Act;]
- (c) order the defendant to attend meetings with a supervisor, see section 1(2A) of the Street Offences Act 1959(2).

Under ^{F4}sections 174, 201 or 287 of the 2020 Act] , the court may impose an electronic monitoring requirement to secure the monitoring of the defendant's compliance with certain other requirements (for example, a curfew or an exclusion).]

- F1** Words in rule 28.2 substituted (8.2.2021) by [The Criminal Procedure \(Amendment\) Rules 2021 \(S.I. 2021/40\)](#), rules 2, **14(b)(i)**
- F2** Words in rule 28.2 substituted (8.2.2021) by [The Criminal Procedure \(Amendment\) Rules 2021 \(S.I. 2021/40\)](#), rules 2, **14(b)(ii)**
- F3** Words in rule 28.2 substituted (8.2.2021) by [The Criminal Procedure \(Amendment\) Rules 2021 \(S.I. 2021/40\)](#), rules 2, **14(b)(iii)**
- F4** Words in rule 28.2 substituted (8.2.2021) by [The Criminal Procedure \(Amendment\) Rules 2021 \(S.I. 2021/40\)](#), rules 2, **14(b)(iv)**

Commencement Information

- I1** Rule 28.2 in force at 5.10.2020, see Preamble

(1) 1959 c. 57; section 1A was inserted by section 17(1) and (3) of the Policing and Crime Act 2009 (c. 26).

(2) 1959 c. 57; section 1(2A) was inserted by section 17(1) and (3) of the Policing and Crime Act 2009 (c. 26).

Changes to legislation:

The Criminal Procedure Rules 2020, Section 28.2 is up to date with all changes known to be in force on or before 22 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- rule 18.14-18.17 omitted by [S.I. 2024/62 rule 8\(d\)\(ii\)](#)
- rule 18.1(c)-(e) rule 18.1(d)-(f) renumbered as rule 18.1(c)-(e) by [S.I. 2024/62 rule 8\(a\)\(ii\)](#)
- rule 33.47-33.50 omitted by [S.I. 2024/62 rule 9\(a\)\(ii\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- rule 2.8(4)(g)-(j) rule 2.8(4)(f)-(i) renumbered as rule 2.8(4)(g)-(j) by [S.I. 2024/62 rule 3\(b\)\(i\)](#)
- rule 3.35(4)(h) rule 3.35(4)(g) renumbered as rule 3.35(4)(h) by [S.I. 2024/62 rule 4\(e\)\(iii\)](#)
- rule 3.8(7)(8) inserted by [S.I. 2024/62 rule 4\(c\)\(iii\)](#)
- rule 3.35(8) rule 3.35(7) renumbered as rule 3.35(8) by [S.I. 2024/62 rule 4\(e\)\(v\)](#)
- rule 3.8(9) rule 3.8(7) renumbered as rule 3.8(9) by [S.I. 2024/62 rule 4\(c\)\(ii\)](#)
- rule 5.4(4)(5) inserted by [S.I. 2024/62 rule 5\(a\)](#)
- rule 15.9(a) words substituted by [S.I. 2024/62 rule 7\(f\)\(i\)](#)
- rule 15.9(b) inserted by [S.I. 2024/62 rule 7\(f\)\(iii\)](#)
- rule 15.9(c)-(e) rule 15.9(b)-(d) renumbered as rule 15.9(c)-(e) by [S.I. 2024/62 rule 7\(f\)\(ii\)](#)
- rule 18.8(2)(d)(e) inserted by [S.I. 2024/62 rule 8\(c\)\(ii\)](#)
- rule 33.53(5) inserted by [S.I. 2024/62 rule 9\(n\)](#)
- rule 44.3(1)(c) inserted by [S.I. 2024/62 rule 10\(c\)](#)
- rule 45.7(1)(a)(vi) inserted by [S.I. 2024/62 rule 11\(c\)\(iii\)](#)
- rule 45.7(6) inserted by [S.I. 2024/62 rule 11\(c\)\(vi\)](#)
- rule 47.24(c) word omitted by [S.I. 2024/62 rule 12\(l\)\(iii\)](#)
- rule 47.24(d)(e) substituted for rule 47.24(d) by [S.I. 2024/62 rule 12\(l\)\(iv\)](#)
- rule 47.4(f) word omitted by [S.I. 2024/62 rule 12\(a\)\(ii\)](#)
- rule 47.4(f) word substituted by [S.I. 2024/62 rule 12\(a\)\(i\)](#)
- rule 47.4(g) word substituted by [S.I. 2024/62 rule 12\(a\)\(iii\)](#)
- rule 47.4(h)(i) inserted by [S.I. 2024/62 rule 12\(a\)\(iv\)](#)
- rule 47.24(iii)(iv) inserted by [S.I. 2024/62 rule 12\(l\)\(ii\)](#)
- rule 47.9(1)(h)(i) inserted by [S.I. 2024/62 rule 12\(c\)\(ii\)](#)
- rule 47.20(2)(g) renumbered as rule 47.20(2)(f) by [S.I. 2024/62 rule 12\(k\)\(iii\)](#)
- rule 47.13(2)(g) rule 47.13(2)(f) renumbered as rule 47.13(2)(g) by [S.I. 2024/62 rule 12\(g\)\(iv\)](#)