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SCHEDULE

Rule 2(2)

FORMS TO BE INSERTED INTO THE CROWN COURT RULES (NORTHERN IRELAND) 1979

Rule 44Q(1)

“Form 7L

IN THE CROWN COURT IN NORTHERN IRELAND

APPLICATION FOR DIRECTION FOR WITNESS TO GIVE EVIDENCE THROUGH A LIVE LINK

(Article 10 of the Criminal Justice (Northern Ireland) Order 2004)

An application should be made within 28 days from the date—

- (a) of the committal of the defendant; or
- (b) on which Notice of Transfer under Article 3 of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 or under Article 4 of the Children’s Evidence (Northern Ireland) Order 1995 was given; or
- (c) on which leave to present an indictment under section 2(2)(e) of the Grand Jury (Abolition) Act (Northern Ireland) 1969 was given; or
- (d) on which an order for retrial is made; or
- (e) on which a plea of guilty is entered.

This Form may also be used where an extension of time has been granted for the making of this application.

This Form should be served on the chief clerk and at the same time a copy thereof shall be served on every other party to the proceedings.

<i>Details Required</i>	<i>Notes</i>
Details of applicant: Name: Address:	

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<p>Case Details:</p> <p>PPSNI reference number:</p> <p>The Crown Court at:</p> <p>Crown Court Bill Number:</p> <p>ICOS number (if known):</p>	
<p>Name of defendant(s):</p> <p>Charges:</p> <p>Date of— committal for trial* giving of notice of transfer* leave to present an indictment* order for retrial* plea* next court appearance*</p>	<p>*Delete as appropriate</p>
<p>Details of Witness</p> <p>Name of witness:</p> <p>Date of Birth of Witness:</p>	<p>An application by the defence for evidence to be given by live link need not disclose who that witness is, except to the extent that the disclosure is required by section 6A(2) of the Criminal Procedure and Investigations Act 1996 (alibi)</p>
<p>Details of Application</p> <p>State the reasons given by the applicant in support of this application:</p> <p>Place from which the witness will give evidence (if known):</p>	

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<p>Extension/abridgement of time for service</p> <p>Please indicate whether you are applying for an extension or abridgement of time for service.</p>	
<p>If the answer is yes, please state your reasons:</p>	

Dated this day of 20 .

Applicant
[Solicitor for Applicant]

To: the Chief Clerk of the Crown Court sitting at

And to

(insert names and addresses of each of the other parties to the proceedings)

NOTES:

The notice served on the chief clerk shall be endorsed with the date upon which and the manner in which notice was served on each of the other parties to the proceedings.

Any party who wishes to oppose the application shall, within 14 days of the date on which notice of the application was served on him, notify the chief clerk and every other party to the proceedings, in writing, of his opposition, giving reasons for it.

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Rule 44Q(9)

Form 7M

IN THE CROWN COURT IN NORTHERN IRELAND

NOTICE OF DECISION ON APPLICATION FOR DIRECTION/RESCISSION OF DIRECTION FOR WITNESS TO GIVE EVIDENCE THROUGH A LIVE LINK

(Articles 10 and 11 Criminal Justice (Northern Ireland) Order 2004)

Case Details

PPSNI reference number:

The Crown Court at:

Crown Court Bill Number:

ICOS number (if known):

Defendant(s): Surname:
Forenames:

Upon hearing of an application by _____ (*name of applicant*), on
_____ (*date application heard*) under Article 10/Article 11* of the Criminal
Justice (Northern Ireland) Order 2004 for a direction/rescission of a direction* for a witness to
give evidence through a live link, the Court made an order to the following effect, viz—

Direction given/refused/rescinded/rescission refused*.

* If direction is refused or rescinded or an application for rescission of a direction is refused,
state the grounds –

To be completed where direction is given:

Place where the witness will give evidence (if known):

Where the witness is to give evidence on behalf of the prosecutor, or where disclosure is
required by section 6A(2) of the Criminal Procedure and Investigations Act 1996, the name of
the witness:

The location of the Court at which the trial will be held:

Name of person specified by the Court under Rule 44Q(10), in whose presence the witness
shall give evidence (if applicable):

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This day of 20 .

Chief Clerk of the Crown Court

*Delete as appropriate

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Rule 44S(1)

Form 7N

IN THE CROWN COURT IN NORTHERN IRELAND

**APPLICATION FOR A LIVE LINK DIRECTION UNDER ARTICLE 21A
OF
THE CRIMINAL EVIDENCE (NORTHERN IRELAND) ORDER 1999**

An application should be made within 28 days from the date—

- (a) of the committal of the defendant; or
- (b) on which Notice of Transfer under Article 3 of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 or under Article 4 of the Children’s Evidence (Northern Ireland) Order 1995 was given; or
- (c) on which leave to present an indictment under section 2(2)(e) of the Grand Jury (Abolition) Act (Northern Ireland) 1969 was given; or
- (d) on which an order for retrial is made; or
- (e) on which a plea of guilty entered.

This Form may also be used where an extension of time has been granted for the making of this application.

This Form should be served on the chief clerk and at the same time a copy thereof shall be served on every other party to the proceedings.

<i>Details Required</i>	<i>Notes</i>
<p>Details of applicant:</p> <p>Name:</p> <p>Address:</p> <p>Case Details:</p> <p>PPSNI reference number:</p> <p>The Crown Court at:</p> <p>Crown Court Bill Number:</p> <p>ICOS number (if known):</p>	

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<p>Name of defendant(s):</p> <p>Charges:</p> <p>Date of— committal for trial* giving of notice of transfer* leave to present an indictment* order for retrial* plea* next court appearance*</p>	<p>*Delete as appropriate</p>
<p>Details of Witness</p> <p>Name of witness:</p> <p>Date of Birth of Witness:</p>	<p>An application by the defence for evidence to be given by live link need not disclose who that witness is, except to the extent that the disclosure is required by section 6A(2) of the Criminal Procedure and Investigations Act 1996 (alibi)</p>
<p>Details of Application</p> <p>State the conditions under Article 21A(4) or (5) upon which this application is based:</p> <p>Give a description of evidence submitted in support of this application:</p> <p>Arrangements available</p> <p>Give a description of the live link facilities which are available in the area in which it is likely the hearing will take place:</p>	<p>This requirement is optional. Examples of evidence might be: birth certificate; medical report</p>

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<p>Reasons for application</p> <p>Give the grounds for believing the live link direction being sought in this application will enable the accused to participate more effectively in the proceedings as a witness:</p> <p>Give the views of the accused as to why the live link direction sought in this application is required:</p> <p>Details of live link</p> <p>Give—</p> <p>(a) the address of any venue from which the accused will give evidence if the Court’s own live link is not used:</p> <p>(b) the name of the person who it is proposed will accompany the accused:</p> <p>(c) the occupation of this person:</p> <p>(d) the relationship (if any) of this person to the accused:</p> <p>Grounds</p> <p>State why it is believed that this person should accompany the accused:</p> <p>Extension/abridgement of time for service</p> <p>Please indicate whether you are applying for an extension or abridgement of time for service.</p> <p>If the answer is yes, please state your reasons:</p>	
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Dated this day of 20 .

Applicant
[Solicitor for Applicant]

To: the Chief Clerk of the Crown Court sitting at

And to

(insert names and addresses of each of the other parties to the proceedings)

NOTES:

The notice served on the Chief Clerk shall be endorsed with the date upon which and the manner in which notice was served on each of the other parties to the proceedings.

Any party who wishes to oppose the application shall, within 14 days of the date on which notice of the application was served on him, notify the Chief Clerk and every other party to the proceedings, in writing, of his opposition, giving reasons for it.

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Rule 44S(10)

Form 7O

IN THE CROWN COURT IN NORTHERN IRELAND

NOTICE OF DECISION ON APPLICATION FOR LIVE LINK DIRECTION/APPLICATION TO DISCHARGE A LIVE LINK DIRECTION UNDER ARTICLE 21A OF THE CRIMINAL EVIDENCE (NORTHERN IRELAND) ORDER 1999

Case Details

PPSNI reference number:

The Crown Court at:

Crown Court Bill Number:

ICOS number (if known):

Defendant(s): Surname:

Upon hearing of an application by _____ (name of applicant), on _____ (date application heard) under Article 21A of the Criminal Evidence (Northern Ireland) Order 1999 for a direction/ for the discharge of a live link direction*, the Court made an order to the following effect, viz:-

Live link direction given/refused/discharged/discharge refused*.

If direction is refused or an application for discharge of a direction is refused, state the grounds
—

This _____ day of _____ 20 _____ .

Chief Clerk of the Crown Court

*Delete as appropriate”