
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 70

REFERENCE TO THE COURT OF APPEAL OF UNDULY LENIENT SENTENCE

References

70.4.—(1) Every reference shall be in writing and shall—

- (a) contain the information required by rule 70.1(1)(a) to be specified in an application;
- (b) summarise the arguments intended to be put to the court; and
- (c) specify the authorities intended to be cited.

(2) The reference shall bear the same title as the application.

(3) Subject to paragraph (4), the reference shall be sent on behalf of the Attorney General to the Registrar, who shall, as soon as practicable after receiving it, cause to be served a copy of it on the offender.

(4) Where the court gives leave for a case to be referred to it and is satisfied that the document comprising the application also contains the material required by paragraph (1) to be contained in a reference, the court may order that the document be treated for the purpose of this Part as the reference; and in that case paragraph (3) shall not apply.

[Note. Formerly rule 6 of the Criminal Appeal (Reviews of Sentencing) Rules 1989.]