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STATUTORY INSTRUMENTS

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**2005 No. 384 (L.4)**

**SUPREME COURT OF ENGLAND AND WALES  
MAGISTRATES' COURTS,  
ENGLAND AND WALES**

The Criminal Procedure Rules 2005

*Made* - - - - 18th February 2005

*Laid before Parliament* 4th March 2005

*Coming into force* 4 April 2005

ARRANGEMENT OF RULES

*General matters*

- 1 — The overriding objective
- 2 — Understanding and applying the Rules
- 3 — Case management
- 4 — Service of documents
- 5 — Forms
- 6 — Court records

*Preliminary proceedings*

- 7 — Commencing proceedings in a magistrates' court
- 8 — Objecting to discontinuance of proceedings in a magistrates' court
- 9 — Pre-trial hearings in magistrates' courts
- 10 — Committal for trial
- 11 — Transfer for trial of serious fraud cases and cases involving children
- 12 — Sending for trial
- 13 — Dismissal of charges sent or transferred to the Crown Court
- 14 — The indictment
- 15 — Preparatory hearings in cases of serious fraud and other complex or lengthy cases in the Crown Court
- 16 — Restrictions on reporting and public access
- 17 — Extradition

*Custody and bail*

- 18 — Warrants
- 19 — Bail in magistrates' courts and the Crown Court

20 — Custody time limits

***Disclosure***

21 — Advance information in magistrates' courts  
22 — Disclosure by the prosecution  
23 — Disclosure by the defence  
24 — Disclosure of expert evidence  
25 — Applications for Public Interest Immunity and specific disclosure  
26 — Confidential material

***Evidence***

27 — Witness statements  
28 — Witness summonses and orders  
29 — Special measures directions  
30 — Use of live television link other than for vulnerable witnesses  
31 — Restrictions on cross-examination by a defendant in person  
32 — International co-operation  
33 — Expert evidence  
34 — Hearsay evidence  
35 — Evidence of bad character  
36 — Evidence of a complainant's previous sexual behaviour

***Trial***

37 — Summary trial  
38 — Trial of children and young persons  
39 — Trial on indictment  
40 — Tainted acquittals  
41 — Retrial following acquittal for serious offence

***Sentencing***

42 — Remittal from one magistrates' court to another for sentence  
43 — Committal to the Crown Court for sentence  
44 — Sentencing children and young persons  
45 — Deferred sentence  
46 — Custodial sentences  
47 — Suspended sentences of imprisonment  
48 — Community penalties  
49 — Hospital and guardianship orders  
50 — Supplementary orders made on conviction  
51 — Fines  
52 — Enforcement of fines  
53 — Compensation orders  
54 — Conditional discharge  
55 — Road traffic penalties

***Confiscation and related proceedings***

56 — Confiscation proceedings under the Criminal Justice Act 1988 and  
Drug Trafficking Act 1994  
57 — Proceeds of Crime Act 2002—rules for all proceedings  
58 — Proceeds of Crime Act 2002—rules for confiscation proceedings

- 59 — Proceeds of Crime Act 2002—rules for restraint proceedings
- 60 — Proceeds of Crime Act 2002—rules for receivership proceedings
- 61 — Proceeds of Crime Act 2002—rules for both restraint and receivership proceedings
- 62 — Proceeds of Crime Act 2002—rules for investigations

### *Appeal*

- 63 — Appeal to the Crown Court against conviction or sentence
- 64 — Appeal to the High Court by case stated
- 65 — Appeal to the Court of Appeal against ruling in preparatory hearing
- 66 — Appeal to the Court of Appeal against ruling adverse to prosecution
- 67 — Appeal to the Court of Appeal regarding reporting or public access
- 68 — Appeal to the Court of Appeal against conviction or sentence
- 69 — Reference to the Court of Appeal on point of law
- 70 — Reference to the Court of Appeal of unduly lenient sentence
- 71 — Appeal to the Court of Appeal under the Proceeds of Crime Act 2002—general rules
- 72 — Appeal to the Court of Appeal under the Proceeds of Crime Act 2002—prosecutor's appeal regarding confiscation
- 73 — Appeal to the Court of Appeal under the Proceeds of Crime Act 2002—restraint and receivership orders
- 74 — Appeal to the House of Lords
- 75 — Reference to the European Court

### *Costs*

- 76 — Representation Orders
- 77 — Recovery of Defence Costs Orders
- 78 — Costs ordered against the parties

### *Glossary*

Signature  
Explanatory Note