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STATUTORY INSTRUMENTS

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**2015 No. 1490**

**The Criminal Procedure Rules 2015**

**PART 5**

**FORMS AND COURT RECORDS**

**COURT RECORDS**

**Supply to the public, including reporters, of information about cases**

**5.8.**—(1) This rule—

- (a) applies where a member of the public, including a reporter, wants information about a case from the court officer;
  - (b) requires the court officer to publish information about cases due to be heard.
- (2) A person who wants information about a case from the court officer must—
- (a) apply to the court officer;
  - (b) specify the information requested; and
  - (c) pay any fee prescribed.
- (3) The application—
- (a) may be made orally, giving no reasons, if paragraph (4) requires the court officer to supply the information requested;
  - (b) must be in writing, unless the court otherwise permits, and must explain for what purpose the information is required, in any other case.
- (4) The court officer must supply to the applicant—
- (a) any information listed in paragraph (6), if—
    - (i) the information is available to the court officer,
    - (ii) the supply of the information is not prohibited by a reporting restriction, and
    - (iii) the trial has not yet concluded, or the verdict was not more than 6 months ago; and
  - (b) details of any reporting or access restriction ordered by the court.
- (5) The court officer must supply that information—
- (a) by word of mouth; or
  - (b) by such other arrangements as the Lord Chancellor directs.
- (6) The information that paragraph (4) requires the court officer to supply is—
- (a) the date of any hearing in public, unless any party has yet to be notified of that date;
  - (b) each alleged offence and any plea entered;
  - (c) the court's decision at any hearing in public, including any decision about—
    - (i) bail, or
    - (ii) the committal, sending or transfer of the case to another court;

- (d) whether the case is under appeal;
- (e) the outcome of any trial and any appeal; and
- (f) the identity of—
  - (i) the prosecutor,
  - (ii) the defendant,
  - (iii) the parties' representatives, including their addresses, and
  - (iv) the judge, magistrate or magistrates, or justices' legal adviser by whom a decision at a hearing in public was made.
- (7) If the court so directs, the court officer must—
  - (a) supply to the applicant, by word of mouth, other information about the case; or
  - (b) allow the applicant to inspect or copy a document, or part of a document, containing information about the case.
- (8) The court may determine an application to which paragraph (7) applies—
  - (a) at a hearing, in public or in private; or
  - (b) without a hearing.
- (9) The court officer must publish the information listed in paragraph (11) if—
  - (a) the information is available to the court officer;
  - (b) the hearing to which the information relates is due to take place in public; and
  - (c) the publication of the information is not prohibited by a reporting restriction.
- (10) The court officer must publish that information—
  - (a) by notice displayed somewhere prominent in the vicinity of the court room in which the hearing is due to take place;
  - (b) by such other arrangements as the Lord Chancellor directs, including arrangements for publication by electronic means; and
  - (c) for no longer than 2 business days.
- (11) The information that paragraph (9) requires the court officer to publish is—
  - (a) the date, time and place of the hearing;
  - (b) the identity of the defendant; and
  - (c) such other information as it may be practicable to publish concerning—
    - (i) the type of hearing,
    - (ii) the identity of the court,
    - (iii) the offence or offences alleged, and
    - (iv) whether any reporting restriction applies.

*[Note. Rule 5.8(4) requires the court officer to supply on request the information to which that paragraph refers. On an application for other information about a case, rule 5.8(3)(b), (7) and (8) apply and the court's decision on such an application may be affected by—*

- (a) *any reporting restriction imposed by legislation or by the court (Part 6 lists the reporting restrictions that might apply);*
- (b) *Articles 6, 8 and 10 of the European Convention on Human Rights, and the court's duty to have regard to the importance of—*
  - (i) *dealing with criminal cases in public, and*
  - (ii) *allowing a public hearing to be reported to the public;*

- (c) *the Rehabilitation of Offenders Act 1974*(**1**) (section 5 of the Act(**2**) lists sentences and rehabilitation periods);
- (d) *section 18 of the Criminal Procedure and Investigations Act 1996*(**3**), which affects the supply of information about material, other than evidence, disclosed by the prosecutor;
- (e) *the Data Protection Act 1998*(**4**) (sections 34 and 35 of the Act contain relevant exemptions from prohibitions against disclosure that usually apply); and
- (f) *sections 33, 34 and 35 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012*(**5**), which affect the supply of information about applications for legal aid.]

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(1) 1974 c. 53.

(2) 1974 c. 53; section 5 was amended by section 15 of, and paragraphs 77 and 78 of Schedule 4 to, the Constitutional Reform Act 2005 (c. 4) and by sections 126 and 139 of, and paragraph 2 of Schedule 21 to, the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10).

(3) 1996 c. 25.

(4) 1998 c. 29.

(5) 2012 c. 10.