
STATUTORY INSTRUMENTS

1997 No. 702 (L.8)

SUPREME COURT OF ENGLAND AND WALES

The Criminal Appeal (Amendment) Rules 1997

<i>Made</i>	- - - -	<i>10th March 1997</i>
<i>Laid before Parliament</i>		<i>11th March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

We, the Crown Court Rule Committee, in exercise of the powers conferred on us by sections 84(1), 84(2), and 86 of the Supreme Court Act 1981(1) and section 23(4) of the Criminal Appeal Act 1968(2), hereby make the following Rules:

Citation and commencement

1. These Rules may be cited as the Criminal Appeal (Amendment) Rules 1997 and shall come into force on 1st April 1997.

Amendment of Criminal Appeals Rules 1968

2. The Criminal Appeal Rules 1968(3) shall be amended as follows—

(a) in rule 9 for paragraph (2) there shall be substituted—

“(2) The examination of a witness shall be conducted by the taking of a deposition and, unless the court directs otherwise, shall take place in public.”; and

(b) in rule 16A in paragraph (1) after the words “section 159(1)(a)” there shall be inserted “, (aa)”.

(1) 1981 c. 54.
(2) 1968 c. 19.
(3) S.I. 1968/1262.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Dated 10th March 1997

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Criminal Appeals Rules 1968 (“the 1968 Rules”) to take account of the provisions of the Criminal Procedure and Investigations Act 1996 (“the 1996 Act”) relating to magistrates’ courts’ procedure at committal proceedings and a courts order restricting publication of a derogatory assertion made against another person in the course of mitigation by or on behalf of a person convicted of an offence. They remove a reference in rule 9(2) of the 1968 Rules to evidence being taken before an examiner in the same way as depositions are taken at committal proceedings, since witnesses will no longer appear at committal proceedings. They also reflect the conferment by the 1996 Act of a right of appeal under the Criminal Justice Act 1988 against an order of a Crown Court restricting publication of a derogatory assertion in a case where it has convicted a person on indictment.