
STATUTORY INSTRUMENTS

1998 No. 3047 (L.14)

SUPREME COURT OF ENGLAND AND WALES

The Crown Court (Modification) Rules 1998

Made - - - - *6th December 1998*
Laid before Parliament *9th December 1998*
Coming into force - - *4th January 1999*

We the Crown Court Rule Committee, in exercise of the powers conferred upon us by sections 84(1) and 86 of the Supreme Court Act 1981(1) hereby make the following Rules:

1. These Rules may be cited as the Crown Court (Modification) Rules 1998 and shall come into force on 4th January 1999.

2.—(1) The Crown Court Rules 1982(2) shall have effect in any place to which a person is sent for trial under section 51 of the Crime and Disorder Act 1998(3) as if they were amended as follows.

(2) In rule 23A(3), after the words “under section 53 of the Criminal Justice Act 1991,”, there shall be inserted the words “or of the service of copies of the documents containing the evidence on which the charge or charges are based under paragraph 1 of Schedule 3 to the Crime and Disorder Act 1998,”.

(3) In rule 23B(4), after the words “Criminal Justice Act 1987,” there shall be inserted the words “or of the service of copies of the documents containing the evidence on which the charge or charges are based under paragraph 1 of Schedule 3 to the Crime and Disorder Act 1998,”.

(4) In rule 23C(5), after the words “under section 53 of the Criminal Justice Act 1991,” there shall be inserted the words “or of the service of copies of the documents containing the evidence on which the charge or charges are based under paragraph 1 of Schedule 3 to the Crime and Disorder Act 1998,”.

(5) After rule 24 there shall be added the following rule—

“**24ZA.** The appropriate officer of the Crown Court sitting at a place to which notice has been given under section 51(7) of the Crime and Disorder Act 1998, shall list the first Crown Court appearance of the person to whom the notice relates so that it shall be no later than 28 days after the date on which the Crown Court received the notice or, in the case of a person committed to custody under section 52(1)(a) of that Act, 8 days after that date.”

(1) 1981 c. 54; section 86 was amended by Schedule 18, paragraph 36 of the Courts and Legal Services Act 1990 (c. 41).
(2) S.I. 1982/1109; rule 23A was inserted by S.I. 1988/2160, rule 2 (substituted by S.I. 1992/1847, rule 3); rule 23B by S.I. 1990/2157, rule 2; and rule 23C by S.I. 1992/1847, rule 4.
(3) 1998 c. 37.

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

- (6) In rule 27, after paragraph (g) there shall be inserted—
“(h) jurisdiction under Rule 24ZA.”

Irvine of Lairg, C.
Otton, L.J.
N. Valios
J. Beloff
B.E. Dickinson
B.L. Garner

Dated 6th December 1998

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules make a number of modifications to the Crown Court Rules 1982 (S.I.1982/1109) which are necessary in relation to the new procedure created by sections 51 and 52 of and Schedule 3 to the Crime and Disorder Act 1998 (c. 37) (no committal proceedings for indictable-only proceedings).

Rules 2(2), (3) and (4) modify the 1982 Rules to provide for the appropriate time under the new procedure by which a party that wishes to do so, shall apply for the evidence of a child or person outside the United Kingdom to be given by video recording or television link under section 32 of the Criminal Justice Act 1988 (c. 33).

Rule 2(5) provides for a new rule 24ZA of the 1982 Rules so as to specify the latest date for which the first Crown Court appearance of a person sent for trial under the new procedure shall be listed. Rule 2(6) allows for the possibility of that appearance being in Chambers.