

---

STATUTORY INSTRUMENTS

---

**2005 No. 384**

**The Criminal Procedure Rules 2005**

**PART 67**

**APPEAL TO THE COURT OF APPEAL AGAINST ORDER  
RESTRICTING REPORTING OR PUBLIC ACCESS**

**Appeal against order restricting reporting of proceedings**

**67.1.**—(1) An application for leave to appeal under section 159(1)(a), (aa) or (c) of the Criminal Justice Act 1988(1) shall be made within 14 days after the date on which the order was made by serving on the Registrar a notice which shall be in the form set out in the Practice Direction.

(2) The applicant shall at the same time serve a copy of the application under paragraph (1) on the Crown Court officer at the place where the order was made, on the prosecutor and the defendant and on any other interested person.

(3) A prosecutor or a defendant or any interested person may, not later than 3 days after service of the application, notify the Registrar in writing that he wishes to be made a respondent to the appeal if leave is granted, and shall serve a copy of such notice on the applicant.

(4) The period of 14 days in paragraph (1) may be extended by the Court or a judge of the Court, before or after it expires, on an application which shall be made in writing, specifying the grounds of the application, and served on the Registrar, and a copy of the application shall be served by the applicant on every person who is to be served under paragraph (2).

(5) An application under paragraph (4) shall be determined without a hearing, unless the Court or a judge of the Court, as the case may be, directs otherwise.

(6) An application under paragraph (1) may be determined without a hearing.

(7) Where the Court grants leave to appeal—

- (a) the notice of application for leave shall stand as the notice of appeal, unless the Court otherwise orders;
- (b) without prejudice to the generality of its powers under section 159(3) of the 1988 Act, the Court shall direct that the person in whose favour the order was made is to be a respondent to the appeal and determine what, if any, other persons are to be respondents or may be respondents if they wish;
- (c) the evidence of any witness shall be given in writing, unless the Court otherwise orders;
- (d) rule 68.11 (supply of documentary and other exhibits) shall apply, with the necessary modifications; and
- (e) the Registrar shall notify the parties of the time and place of the hearing of the appeal.

*[Note. Formerly rule 16A of the Criminal Appeal Rules 1968(2).]*

---

(1) 1988 c. 33; section 159 was amended by the Criminal Procedure and Investigations Act 1996 (c. 25), section 61(6).  
(2) S.I. 1968/1262, amended by S.I. 1989/1102; there are other amending instruments but none is relevant to this Part.

---

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

---