
STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 29

MEASURES TO ASSIST A WITNESS OR DEFENDANT TO GIVE EVIDENCE

SECTION 5: WITNESS ANONYMITY ORDERS

Exercise of court's powers

29.18.—(1) The court may decide whether to make, vary or discharge a witness anonymity order—

- (a) at a hearing (which will be in private, unless the court otherwise directs), or without a hearing (unless any party asks for one);
- (b) in the absence of a defendant.

(2) The court must not exercise its power to make, vary or discharge a witness anonymity order, or to refuse to do so—

- (a) before or during the trial, unless each party has had an opportunity to make representations;
- (b) on an appeal by the defendant to which applies Part 63 (appeal to the Crown Court) or Part 68 (appeal to the Court of Appeal about conviction or sentence), unless in each party's case—
 - (i) that party has had an opportunity to make representations, or
 - (ii) the appeal court is satisfied that it is not reasonably practicable to communicate with that party;
- (c) after the trial and any such appeal are over, unless in the case of each party and the witness—
 - (i) each has had an opportunity to make representations, or
 - (ii) the court is satisfied that it is not reasonably practicable to communicate with that party or witness.