
STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 68

APPEAL TO THE COURT OF APPEAL ABOUT CONVICTION OR SENTENCE

Right to attend hearing

- 68.11.** A party who is in custody has a right to attend a hearing in public unless—
- (a) it is a hearing preliminary or incidental to an appeal, including the hearing of an application for permission to appeal; or
 - (b) that party is in custody in consequence of—
 - (i) a verdict of not guilty by reason of insanity, or
 - (ii) a finding of disability.

[Note. See rule 65.6 (hearings) and section 22 of the Criminal Appeal Act 1968(1). There are corresponding provisions in The Criminal Justice Act 2003 (Mandatory Life Sentences: Appeals in Transitional Cases) Order 2005(2) and in The Serious Organised Crime and Police Act 2005 (Appeals under section 74) Order 2006(3). Under section 22 of the 1968 Act, the court may direct that an appellant who is in custody is to attend a hearing by live link.]

(1) 1968 c. 19; section 22 was amended by section 48 of the Police and Justice Act 2006 (c. 48).
(2) S.I. 2005/2798.
(3) S.I. 2006/2135.