STATUTORY INSTRUMENTS

# 2011 No. 1709 (L. 15)

# SENIOR COURTS OF ENGLAND AND WALES MAGISTRATES' COURTS, ENGLAND AND WALES

The Criminal Procedure Rules 2011 (revoked)

Made	7th July 2011
Laid before Parliament	18th July 2011
Coming into force	3rd October 2011

# THE CRIMINAL PROCEDURE RULES 2011 (REVOKED)

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[Note. The rules in Section 2 (general rules) also apply.]...

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#### PART 25

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# PART 26

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- 29.12 Application containing information withheld from another party
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[Note. The rules in Section 2 (general rules) also apply.]...

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[Note. The rules in Section 2 (general rules) also apply.]...

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[Note. The rules in Section 2 (general rules) also apply....

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[Note. For the use of an expert report as evidence,...

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- 33.5 Expert to be informed of service of report
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[Note: Section 41 of the Youth Justice and Criminal Evidence... See also— (a) section 42 of the 1999 Act ,...

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- 36.5 Reply to application
- 36.6 Application for special measures
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[Note: Part 3 contains rules about case management that apply...

- 37.1 When this Part applies
- 37.2 General rules
- 37.3 Procedure on plea of not guilty
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- 37.10 Procedure if the court convicts
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[Note. See also— (a) Part 37, which contains rules about...

- 42.1 Reasons for deciding not to follow a guideline or make an order
- 42.2 Requirements of community sentence, etc.
- 42.3 Notification requirements
- 42.4 Variation of sentence
- 42.5 Application to vary or discharge a compensation order
- 42.6 Application to remove, revoke or suspend a disqualification or restriction
- 42.7 Application for a restitution order by the victim of a theft
- 42.8 Requests for medical reports, etc.
- 42.9 Information to be supplied on admission to hospital or guardianship
- 42.10 Information to be supplied on committal for sentence, etc.

#### PART 43

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#### PART 44

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- 44.1 When this Part applies
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PART 46

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PART 47

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PART 48

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#### PART 49

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#### PART 50

#### CIVIL BEHAVIOUR ORDERS AFTER VERDICT OR FINDING

[Note. See Part 3 for the court's general powers to...

- 50.1 When this Part applies
- 50.2 Behaviour orders: general rules
- 50.3 Application for behaviour order: special rules
- 50.4 Evidence to assist the court: special rules
- 50.5 Application to vary or revoke behaviour order
- 50.6 Notice of hearsay evidence
- 50.7 Cross-examination of maker of hearsay statement
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- 50.9 Court's power to vary requirements under this Part

# PART 51

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#### PART 52

# ENFORCEMENT OF FINES AND OTHER ORDERS FOR PAYMENT

[Note. Part 18 contains rules about warrants for arrest, detention... Part 37 contains rules about the procedure on sentencing in... Part 42 contains rules about the exercise of a magistrates'...

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- 52.2 Exercise of court's powers
- 52.3 Duty to give receipt
- 52.4 Appeal against decision of fines officer
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#### 52.9 Sale of goods taken under a warrant

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#### PART 53

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# PART 54

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#### PART 55

# ROAD TRAFFIC PENALTIES

[Note. Part 37 contains rules about the general procedure on...

- 55.1 Application to remove a disqualification from driving
- 55.2 Information to be supplied on order for endorsement of driving record, etc.
- 55.3 Statutory declaration to avoid fine after fixed penalty notice
- 55.4 Application for declaration about a course or programme certificate decision
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- 57.13 Service outside the jurisdiction
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# PROCEEDS OF CRIME ACT 2002: RULES APPLICABLE ONLY TO CONFISCATION PROCEEDINGS

- 58.1 Statements in connection with confiscation orders
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- 58.7 Application for variation of confiscation order made against an absconder
- 58.8 Application for discharge of confiscation order made against an absconder
- 58.9 Application for increase in term of imprisonment in default
- 58.10 Compensation general
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- 59.1 Application for restraint order or ancillary order
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- 59.6 Application to punish for contempt of court

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#### PROCEEDS OF CRIME ACT 2002: RULES APPLICABLE ONLY TO RECEIVERSHIP PROCEEDINGS

- 60.1 Application for appointment of a management or an enforcement receiver
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- 60.3 Applications for discharge or variation of receivership orders, and applications for other orders
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- 61.2 Joining of applications
- 61.3 Applications to be dealt with in writing
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- 61.20 Assessment of costs
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- 62.5 Initial procedure on obstruction, disruption, etc.
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### SECTION 3: CONTEMPT OF COURT BY FAILURE TO COMPLY WITH COURT ORDER, ETC.

- 62.9 Initial procedure on failure to comply with court order, etc.
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- 65.9 Duty of person transcribing proceedings in the Crown Court
- 65.10 Duty of person keeping exhibit
- 65.11 Registrar's duty to provide copy documents for appeal or reference
- 65.12 Declaration of incompatibility with a Convention right
- 65.13 Abandoning an appeal
- 65.14 Abandoning a ground of appeal or opposition

#### PART 66

# APPEAL TO THE COURT OF APPEAL AGAINST RULING AT PREPARATORY HEARING

- 66.1 When this Part applies
- 66.2 Service of appeal notice
- 66.3 Form of appeal notice
- 66.4 Crown Court judge's permission to appeal
- 66.5 Respondent's notice
- 66.6 Powers of Court of Appeal judge

- 66.7 Renewing applications
- 66.8 Right to attend hearing

# PART 67

#### APPEAL TO THE COURT OF APPEAL AGAINST RULING ADVERSE TO PROSECUTION

- 67.1 When this Part applies
- 67.2 Decision to appeal
- 67.3 Service of appeal notice
- 67.4 Form of appeal notice
- 67.5 Crown Court judge's permission to appeal
- 67.6 Expediting an appeal
- 67.7 Respondent's notice
- 67.8 Public interest ruling
- 67.9 Powers of Court of Appeal judge
- 67.10 Renewing applications
- 67.11 Right to attend hearing

# PART 68

# APPEAL TO THE COURT OF APPEAL ABOUT CONVICTION OR SENTENCE

- 68.1 When this Part applies
- 68.2 Service of appeal notice
- 68.3 Form of appeal notice
- 68.4 Crown Court judge's certificate that case is fit for appeal
- 68.5 Reference by Criminal Cases Review Commission
- 68.6 Respondent's notice
- 68.7 Adaptation of rules about introducing evidence
- 68.8 Application for bail pending appeal or retrial
- 68.9 Conditions of bail pending appeal or retrial
- 68.10 Forfeiture of a recognizance given as a condition of bail
- 68.11 Right to attend hearing
- 68.12 Power to vary determination of appeal against sentence
- 68.13 Directions about re-admission to hospital on dismissal of appeal
- 68.14 Renewal or setting aside of order for retrial

#### PART 69

# APPEAL TO THE COURT OF APPEAL REGARDING REPORTING OR PUBLIC ACCESS RESTRICTION

- 69.1 When this Part applies
- 69.2 Service of appeal notice
- 69.3 Form of appeal notice
- 69.4 Advance notice of appeal against order restricting public access
- 69.5 Duty of applicant for order restricting public access
- 69.6 Respondent's notice on appeal against reporting restriction
- 69.7 Renewing applications
- 69.8 Right to introduce evidence
- 69.9 Right to attend hearing

# REFERENCE TO THE COURT OF APPEAL OF POINT OF LAW OR UNDULY LENIENT SENTENCING

- 70.1 When this Part applies
- 70.2 Service of notice of reference and application for permission
- 70.3 Form of notice of reference and application for permission
- 70.4 Registrar's notice to defendant
- 70.5 Respondent's notice
- 70.6 Variation or withdrawal of notice of reference or application for permission
- 70.7 Right to attend hearing
- 70.8 Anonymity of defendant on reference of point of law

#### PART 71

# APPEAL TO THE COURT OF APPEAL UNDER THE PROCEEDS OF CRIME ACT 2002: GENERAL RULES

- 71.1 Extension of time
- 71.2 Other applications
- 71.3 Examination of witness by court
- 71.4 Supply of documentary and other exhibits
- 71.5 Registrar's power to require information from court of trial
- 71.6 Hearing by single judge
- 71.7 Determination by full court
- 71.8 Notice of determination
- 71.9 Record of proceedings and transcripts
- 71.10 Appeal to the Supreme Court

#### PART 72

# APPEAL TO THE COURT OF APPEAL UNDER THE PROCEEDS OF CRIME ACT 2002: PROSECUTOR'S APPEAL REGARDING CONFISCATION

- 72.1 Notice of appeal
- 72.2 Respondent's notice
- 72.3 Amendment and abandonment of appeal

#### PART 73

# APPEAL TO THE COURT OF APPEAL UNDER POCA 2002: RESTRAINT OR RECEIVERSHIP ORDERS

- 73.1 Leave to appeal
- 73.2 Notice of appeal
- 73.3 Respondent's notice
- 73.4 Amendment and abandonment of appeal
- 73.5 Stay
- 73.6 Striking out appeal notices and setting aside or imposing conditions on leave to appeal
- 73.7 Hearing of appeals

#### PART 74

# APPEAL OR REFERENCE TO THE SUPREME COURT

- 74.1 When this Part applies
- 74.2 Application for permission or reference
- 74.3 Determination of detention pending appeal, etc.
- 74.4 Bail pending appeal

# PART 75

# REQUEST TO THE EUROPEAN COURT FOR A PRELIMINARY RULING

- 75.1 When this Part applies
- 75.2 Preparation of request
- 75.3 Submission of request
- 75.4 Postponement of case pending request

### PART 76

# COSTS

# SECTION 1: GENERAL

- 76.1 When this Part applies
- 76.2 Costs orders: general rules
- 76.3 Court's power to vary requirements under Sections 2, 3 and 4

# SECTION 2: COSTS OUT OF CENTRAL FUNDS

76.4 Costs out of central funds

# SECTION 3: PAYMENT OF COSTS BY ONE PARTY TO ANOTHER

- 76.5 Costs on conviction and sentence
- 76.6 Costs on appeal
- 76.7 Costs on an application
- 76.8 Costs resulting from unnecessary or improper act, etc.

# SECTION 4: OTHER COSTS ORDERS

- 76.9 Costs against a legal representative
- 76.10 Costs against a third party

# SECTION 5: ASSESSMENT OF COSTS

- 76.11 Assessment and re-assessment
- 76.12 Appeal to a costs judge
- 76.13 Appeal to a High Court judge
- 76.14 Application for an extension of time under Section 5

# GLOSSARY

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**Changes to legislation:** There are currently no known outstanding effects for the The Criminal Procedure Rules 2011 (revoked).