
STATUTORY INSTRUMENTS

2015 No. 1490

The Criminal Procedure Rules 2015

PART 23

RESTRICTION ON CROSS-EXAMINATION BY A DEFENDANT

APPLICATION TO PROHIBIT CROSS-EXAMINATION

Application to discharge prohibition imposed by the court

23.5.—(1) A party who wants the court to discharge a prohibition against cross-examination which the court imposed under section 36 of the Youth Justice and Criminal Evidence Act 1999 must—

- (a) apply in writing, as soon as reasonably practicable after becoming aware of the grounds for doing so; and
 - (b) serve the application on—
 - (i) the court officer, and
 - (ii) each other party.
- (2) The applicant must—
- (a) explain what material circumstances have changed since the prohibition was imposed; and
 - (b) ask for a hearing, if the applicant wants one, and explain why it is needed.

[Note. Under section 37 of the Youth Justice and Criminal Evidence Act 1999, the court can discharge a prohibition against cross-examination which it has imposed—

- (a) on application, if there has been a material change of circumstances; or*
- (b) on its own initiative.*

The Practice Direction sets out a form of application for use in connection with this rule.]