
STATUTORY INSTRUMENTS

2015 No. 1490

The Criminal Procedure Rules 2015

PART 40

**APPEAL TO THE COURT OF APPEAL ABOUT
REPORTING OR PUBLIC ACCESS RESTRICTION**

When this Part applies

40.1.—(1) This Part applies where a person directly affected by an order to which section 159(1) of the Criminal Justice Act 1988(1) applies wants to appeal against that order.

(2) A reference to an ‘appellant’ in this Part is a reference to such a party.

[Note. Section 159(1) of the Criminal Justice Act 1988 gives a ‘person aggrieved’ (in this Part described as a person directly affected) a right of appeal to the Court of Appeal against a Crown Court judge’s order—

- (a) *under section 4 or 11 of the Contempt of Court Act 1981(2);*
- (b) *under section 58(7) of the Criminal Procedure and Investigations Act 1996(3);*
- (c) *restricting public access to any part of a trial for reasons of national security or for the protection of a witness or other person; or*
- (d) *restricting the reporting of any part of a trial.*

See also Part 6 (Reporting, etc. restrictions) and Part 18 (Measures to assist a witness or defendant to give evidence).

The rules in Part 36 (Appeal to the Court of Appeal: general rules) also apply where this Part applies.]

(1) 1988 c. 33; section 159(1) was amended by section 61 of the Criminal Procedure and Investigations Act 1996 (c. 25).
(2) 1981 c. 49; section 4 was amended by section 57 of the Criminal Procedure and Investigations Act 1996 (c. 25), section 16 of, and Schedule 2 to, the Defamation Act 1996 (c. 31), paragraph 53 of Schedule 3 to the Criminal Justice Act 2003 (c. 44) and the Statute Law (Repeals) Act 2004 (c. 14).
(3) 1996 c. 25.