

STATUTORY INSTRUMENTS

2020 No. 759 (L. 19)

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

The Criminal Procedure Rules 2020

Made - - - - 15th July 2020
Laid before Parliament 20th July 2020
Coming into force - - 5th October 2020

The Criminal Procedure Rule Committee—

- (a) revokes the Criminal Procedure Rules 2015(1) and makes the following Rules under section 69 of the Courts Act 2003(2), after consulting in accordance with section 72(1) (a) of that Act; and
- (b) in making the Rules listed in the first column of this table, exercises also the powers listed in the corresponding entry in the second column—

<i>Rule</i>	<i>Power</i>
2.4, 2.5, 2.6, 2.7, 2.8 and 2.9	Section 67B(1) of the Courts Act 2003(3)
[^{F1} 2.11	Section 2 of the Commissioners for Oaths Act 1889]
3.16	Section 86A(2) of the Courts Act 2003(4)
3.21	Section 86A(2) of the Courts Act 2003
3.32	Section 77(1) of the Senior Courts Act 1981(5)

- (1) S.I. 2015/1490; amended by S.I. 2016/120, 2016/705, 2017/144, 2017/282, 2017/755, 2017/915, 2018/132, 2018/847, 2019/143, 2019/908, 2019/1119, 2020/32, 2020/417.
- (2) 2003 c. 39; section 69 was amended by sections 15(1) and 146 of, and paragraphs 308 and 332 of Schedule 4 and Part 2 of Schedule 18 to, the Constitutional Reform Act 2005 (c. 4).
- (3) 2003 c. 39; section 67B was inserted by section 3 of, and paragraph 32 of the Schedule to, the Courts and Tribunals (Judiciary and Functions of Staff) Act 2018 (c. 33).
- (4) 2003 c. 39; section 86A was inserted by section 162 of the Policing and Crime Act 2017 (c. 3).
- (5) 1981 c. 54; section 77 was amended by section 15 of, and paragraph 11 of Schedule 2 to, the Criminal Justice Act 1987 (c. 38), section 168 of, and paragraph 18 of Schedule 9 to, the Criminal Justice and Public Order Act 1994 (c. 33), section 41 of, and paragraph 54 of Schedule 3 to, the Criminal Justice Act 2003 (c. 44) and article 3 of, and paragraphs 11 and 13 of the Schedule to, SI 2004/2035. It is further amended by section 31 of, and paragraph 11 of Schedule 1 and Schedule 2 to, the Prosecution of Offences Act 1985 (c. 23) with effect from a date to be appointed.

<i>Rule</i>	<i>Power</i>
4.1 and 4.12	Section 12(1) and (3) of the Road Traffic Offenders Act 1988(6)
5.5	Section 32(1) of the Criminal Appeal Act 1968(7)
Part 8	Section 48(1) of the Criminal Law Act 1977(8)
[F29.2	Section 86A(2) of the Courts Act 2003]
Part 10	Section 2 of the Indictments Act 1915(9) and section 2(6) of the Administration of Justice (Miscellaneous Provisions) Act 1933(10)
14.6	Section 5B(9) of the Bail Act 1976(11)
16.4	Section 9(2A) of the Criminal Justice Act 1967(12)
19.3	Section 81(1) of the Police and Criminal Evidence Act 1984(13) and section 20(3) of the Criminal Procedure and Investigations Act 1996(14)
20.4	Section 132(4) of the Criminal Justice Act 2003(15)
Part 23	Sections 37(5) and 38(6) and (7) of the Youth Justice and Criminal Evidence Act 1999(16)
[F324.9	Section 16K(1) of the Magistrates' Courts Act 1980]
24.11	[F4Section 52(4) of the Sentencing Act 2020]
24.14	Section 12(7ZA) of the Magistrates' Courts Act 1980(17)
[F524.15]	[F6Section 86A(2) of the Courts Act 2003]
25.16	[F4Section 52(4) of the Sentencing Act 2020]
[F725.18]	[F8Section 86A(2) of the Courts Act 2003]
28.4	[F9Section 385(7) of the Sentencing Act 2020]
F10	F10
...	...
33.7, 33.37, 33.39 and 33.40	Section 91 of the Proceeds of Crime Act 2002(18)

- (6) 1988 c. 53; section 12 was amended by article 3 of, and paragraphs 29 and 30 of the Schedule to, S.I. 2004/2035.
- (7) 1968 c. 19.
- (8) 1977 c. 45; section 48 was amended by paragraph 190 of Schedule 8 to the Courts Act 2003 (c. 39).
- (9) 1915 c. 90; section 2 was amended by section 19 of the Criminal Justice Administration Act 1956 (c. 34) and sections 56 and 109 of, and paragraph 67 of Schedule 8 and Schedule 11 to, the Courts Act 2003 (c. 39).
- (10) 1933 c. 36; section 2(6) was amended by Part IV of Schedule 11 to the Courts Act 1971 (c. 23), paragraph 1 of the Schedule to S.I. 2004/2035 and section 82 of the Deregulation Act 2015 (c. 20).
- (11) 1976 c. 63; section 5B(9) was inserted by section 30 of the Criminal Justice and Public Order Act 1994 (c. 33) and amended by paragraph 183 of Schedule 8 to the Courts Act 2003 (c. 39).
- (12) 1967 c. 80; section 9(2A) was inserted by section 80 of the Deregulation Act 2015 (c. 20).
- (13) 1984 c. 60; section 81 was amended by paragraph 286 of Schedule 8 to, the Courts Act 2003 (c. 39).
- (14) 1996 c. 25; section 20(3) was amended by paragraph 378 of Schedule 8 to, the Courts Act 2003 (c. 39).
- (15) 2003 c. 44; section 132 was amended by article 3 of, and paragraphs 45 and 51 of the Schedule to, S.I. 2004/2035.
- (16) 1999 c. 23; section 37(5) and section 38(6), (7) were amended by section 109 of, and paragraph 384 of Schedule 8 to, the Courts Act 2003 (c. 39).
- (17) 1980 c. 43; section 12(7ZA) was inserted by section 81 of the Deregulation Act 2015 (c. 20).
- (18) 2002 c. 29; section 91 was amended by section 109(1) of, and paragraph 410 of Schedule 8 to, the Courts Act 2003 (c. 39).

<i>Rule</i>	<i>Power</i>
33.47	Section 52(1) of the Senior Courts Act 1981 (19)
34.11	Sections 73(2) and 74(2), (3) and (4) of the Senior Courts Act 1981 (20)
36.8	Section 87(4) of the Senior Courts Act 1981 (21)
37.6	Section 49(1) of the Criminal Justice Act 2003
38.9	Section 73(2) of the Criminal Justice Act 2003
40.8	Section 159(6) of the Criminal Justice Act 1988 (22)
[^{F11} 42.8]	[^{F12} Section 141(2) of the Sentencing Act 2020]
42.14, 42.18, 42.19 and 42.20	Section 91 of the Proceeds of Crime Act 2002
44.2	Section 30(1) of the Criminal Justice Act 2003 (23)
	^{F13}
	...
45.6 and 45.7	Section 52(1) of the Senior Courts Act 1981
47.4 and 47.10; 47.24 and 47.30	Paragraph 15A of Schedule 1 to the Police and Criminal Evidence Act 1984 (24)
47.4 and 47.11 to 47.16 inclusive	Paragraph 10(2) of Schedule 5, paragraph 14(2) of Schedule 5A, paragraph 4(1) of Schedule 6 and paragraph 5(1) of Schedule 6A to the Terrorism Act 2000 (25)
47.4 and 47.17 to 47.22 inclusive	Sections 351(2), 362(2), 369(2) and 375(1) of the Proceeds of Crime Act 2002 (26)
47.4 and 47.23	Section 157(9) of the Extradition Act 2003 (27)
47.24 and 47.31	Paragraph 11(5) of Schedule 5 to the Terrorism Act 2000 (28)
47.24 and 47.32	Section 352(8) of the Proceeds of Crime Act 2002 (29)
47.24 and 47.33	Section 160(10) of the Extradition Act 2003 (30)

- (19) 1981 c. 54; section 52 was amended by section 31 of, and Part II of Schedule 1 to, the Prosecution of Offences Act 1985 (c. 23), section 4 of the Courts and Legal Services Act 1990 (c. 41), article 3 and paragraphs 11 and 12(a) of the Schedule to S.I. 2004/2035 and section 59 of, and paragraph 26 of Schedule 11 to, the Constitutional Reform Act 2005 (c. 4).
- (20) 1981 c. 54; section 73(2) was amended by article 3 of, and paragraphs 11 and 12(b) of the Schedule to, S.I. 2004/2035. Section 74(2) and (3) was amended by article 3 of, and paragraphs 11 and 12(c) of the Schedule to, S.I. 2004/2035.
- (21) 1981 c. 54; section 87(4) was amended by articles 2 and 3 of, and paragraphs 11 and 17 of the Schedule to, S.I. 2004/2035.
- (22) 1988 c. 33; section 159(6) was amended by S.I. 2004/2035.
- (23) 2003 c. 44; section 30 was amended by article 3 of, and paragraphs 45 and 46 of the Schedule to, S.I. 2004/2035.
- (24) 1984 c. 60; paragraph 15A of Schedule 1 was inserted by section 82 of the Deregulation Act 2015 (c. 20).
- (25) 2000 c. 11; paragraph 10 of Schedule 5 was amended by section 109(1) of, and paragraph 389 of Schedule 8 to, the Courts Act 2003 (c. 39) and it is further amended by section 65 of, and paragraph 9 of Schedule 4 to, the Courts Act 2003 (c. 39), with effect from a date to be appointed. Paragraph 4 of Schedule 6 was amended by section 109(1) of, and paragraph 390 of Schedule 8 to, the Courts Act 2003 (c. 39). Schedule 6A was inserted by section 3 of, and paragraph 1(1) and (3) of Part 1 of Schedule 2 to, the Anti-terrorism, Crime and Security Act 2001 (c. 24).
- (26) 2002 c. 29.
- (27) 2003 c. 41; section 157(9) was inserted by section 174 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).
- (28) 2000 c. 11; paragraph 11(5) of Schedule 5 was inserted by section 82 of the Deregulation Act 2015 (c. 20).
- (29) 2002 c. 29; section 352(8) was inserted by section 82 of the Deregulation Act 2015 (c. 20).
- (30) 2003 c. 41; section 160(10) was inserted by section 174 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).

Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020, Introductory Text. (See end of Document for details)

<i>Rule</i>	<i>Power</i>
47.35 and 47.38	Section 59(13) of the Criminal Justice and Police Act 2001 (31)
47.49	Section 74(3) of the Senior Courts Act 1981 (32)
[^{F14} 47.63 to 47.68 inclusive]	Sections 11(1) and 18(2) of the Crime (Overseas Production Orders) Act 2019 (33)
48.16	Section 19 of the Criminal Procedure and Investigations Act 1996 (34)
50.17	Section 67 of the Senior Courts Act 1981 (35)
50.23	Sections 36A(4), 36B(3), 118A(4) and 118B(3) of the Extradition Act 2003 (36)
50.30	Sections 19(3) and 66(1) of the Senior Courts Act 1981 (37)

These Rules may be cited as the Criminal Procedure Rules 2020 and shall come into force on 5th October 2020.

- F1** Words in [Preamble](#) inserted (3.10.2022) by [The Criminal Procedure \(Amendment No. 2\) Rules 2022](#) (S.I. 2022/815), [rules 2, 25\(a\)](#)
- F2** Words in [Preamble](#) inserted (4.10.2021) by [The Criminal Procedure \(Amendment No. 2\) Rules 2021](#) (S.I. 2021/849), [rules 1, 13\(a\)](#)
- F3** Words in [Preamble](#) inserted (2.10.2023) by [The Criminal Procedure \(Amendment No. 2\) Rules 2023](#) (S.I. 2023/786), [rules 1, 24](#)
- F4** Words in [Preamble](#) substituted (4.10.2021) by [The Criminal Procedure \(Amendment No. 2\) Rules 2021](#) (S.I. 2021/849), [rules 1, 13\(b\)](#)
- F5** Word in [Preamble](#) inserted (8.2.2021) by [The Criminal Procedure \(Amendment\) Rules 2021](#) (S.I. 2021/40), [rules 2, 31\(a\)](#)
- F6** Words in [Preamble](#) inserted (8.2.2021) by [The Criminal Procedure \(Amendment\) Rules 2021](#) (S.I. 2021/40), [rules 2, 31\(a\)](#)
- F7** Word in [Preamble](#) inserted (8.2.2021) by [The Criminal Procedure \(Amendment\) Rules 2021](#) (S.I. 2021/40), [rules 2, 31\(b\)](#)
- F8** Words in [Preamble](#) inserted (8.2.2021) by [The Criminal Procedure \(Amendment\) Rules 2021](#) (S.I. 2021/40), [rules 2, 31\(b\)](#)
- F9** Words in [Preamble](#) substituted (4.10.2021) by [The Criminal Procedure \(Amendment No. 2\) Rules 2021](#) (S.I. 2021/849), [rules 1, 13\(c\)](#)
- F10** Words in [Preamble](#) omitted (3.10.2022) by virtue of [The Criminal Procedure \(Amendment No. 2\) Rules 2022](#) (S.I. 2022/815), [rules 2, 25\(b\)](#)

(31) 2001 c. 16; section 59(13) was inserted by section 82 of the Deregulation Act 2015 (c. 20).

(32) 1981 c. 54; section 74(3) was amended by article 3 of, and paragraphs 11 and 12(c) of the Schedule to, S.I. 2004/2035. The Act's title was amended by section 59(5) of, and paragraph 1 of Schedule 11 to, the Constitutional Reform Act 2005 (c. 4).

(33) 2019 c. 5.

(34) 1996 c. 25; section 19 was amended by section 109 of, and paragraph 377 of Schedule 8 to, the Courts Act 2003 (c. 39), section 331 of, and paragraphs 20 and 34 of Schedule 36 to, the Criminal Justice Act 2003 (c. 44) and section 15 of, and paragraph 251 of Schedule 4 to, the Constitutional Reform Act 2005 (c. 4).

(35) 1981 c. 54.

(36) 2003 c. 41; sections 36A, 36B, 118A and 118B were inserted by section 161 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).

(37) 1981 c. 54.

- F11** Word in [Preamble](#) inserted (4.4.2022) by [The Criminal Procedure \(Amendment\) Rules 2022 \(S.I. 2022/45\)](#), rules 1, **12(a)**
- F12** Words in [Preamble](#) inserted (4.4.2022) by [The Criminal Procedure \(Amendment\) Rules 2022 \(S.I. 2022/45\)](#), rules 1, **12(b)**
- F13** Words in [Preamble](#) omitted (3.10.2022) by virtue of [The Criminal Procedure \(Amendment No. 2\) Rules 2022 \(S.I. 2022/815\)](#), rules 2, **25(c)**
- F14** Words in [Preamble](#) substituted (4.10.2021) by [The Criminal Procedure \(Amendment No. 2\) Rules 2021 \(S.I. 2021/849\)](#), rules 1, **13(d)**

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Procedure Rules 2020, Introductory Text.