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STATUTORY INSTRUMENTS

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**2020 No. 759**

The Criminal Procedure Rules 2020

PART 23

RESTRICTION ON CROSS-EXAMINATION BY A DEFENDANT

*APPLICATION TO PROHIBIT CROSS-EXAMINATION*

**Exercise of court's powers**

**23.3.**—(1) The court may decide whether to impose or discharge a prohibition against cross-examination under section 36 of the Youth Justice and Criminal Evidence Act 1999—

- (a) at a hearing, in public or in private, or without a hearing; and
- (b) in a party's absence, if that party—
  - (i) applied for the prohibition or discharge, or
  - (ii) has had at least 10 business days in which to make representations.

(2) The court must announce, at a hearing in public before the witness gives evidence, the reasons for a decision—

- (a) to impose or discharge such a prohibition; or
- (b) to refuse to do so.

*[Note. See section 37 of the Youth Justice and Criminal Evidence Act 1999(1).]*