
STATUTORY INSTRUMENTS

2021 No. 40

The Criminal Procedure (Amendment) Rules 2021

Amendments to the Criminal Procedure Rules

- 13.** In Part 25 (Trial and sentence in the Crown Court)—
- (a) in rule 25.2 (General powers and requirements)—
 - (i) in paragraph (1)(c)(iii), for “section 83(3) of the Powers of Criminal Courts (Sentencing) Act 2000⁽¹⁾” substitute “section 226(7), (8) of the Sentencing Act 2020⁽²⁾”, and
 - (ii) in the note to the rule, for “See section 83 of the Powers of Criminal Courts (Sentencing) Act 2000. Section 83(3)” substitute “See section 226(7), (8) of the Sentencing Act 2020, which”;
 - (b) in the note to rule 25.16 (Procedure if the court convicts)—
 - (i) in the first paragraph, for “sections 143, 158, 164, 172 and 174 of the Criminal Justice Act 2003” substitute “Sections 31, 52, 59, 63, 124, 125 and 126 of the Sentencing Act 2020”,
 - (ii) in the third paragraph, for “section 156 of the Criminal Justice Act 2003” substitute “section 30 of the Sentencing Act 2020”,
 - (iii) in the fourth paragraph, for “section 159 of the Criminal Justice Act 2003” substitute “section 32(3) of the Sentencing Act 2020”,
 - (iv) in the sixth paragraph, for “section 162 of the Criminal Justice Act 2003” substitute “section 35 of the Sentencing Act 2020”, and
 - (v) in the thirteenth paragraph, for “section 1 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 3 of the Sentencing Act 2020”;
 - (c) in rule 25.18 (Duty of court officer)—
 - (i) for the heading to the rule substitute “Duty of court officer and custodian”,
 - (ii) the existing text becomes paragraph (1),
 - (iii) after paragraph (1) insert—
 - “(2) Where the court passes a sentence of immediate imprisonment or detention, or orders a suspended sentence of imprisonment to take effect, by this rule—
 - (a) the court requires the defendant to provide, in writing or orally, his or her nationality; and
 - (b) the custodian must obtain that information and record it.”, and
 - (iv) at the end of the note to the rule insert—
 - “*Under section 86A of the Courts Act 2003, Criminal Procedure Rules must specify stages of proceedings at which the court must require the information to which rule 25.18(2) refers. A person commits an offence if, without reasonable excuse,*

(1) 2000 c. 6; section 83 was repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).

(2) 2020 c. 17.

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that person fails to comply with such a requirement, whether by providing false or incomplete information or by providing no information.”; and

(d) amend the table of contents correspondingly.