
STATUTORY INSTRUMENTS

2024 No. 62

The Criminal Procedure (Amendment) Rules 2024

Amendments to the Criminal Procedure Rules

5. In Part 5 (Forms and court records), in rule 5.4 (Duty to make records)—

(a) after paragraph (3) insert—

“(4) Where a court record appears to the court officer to be incorrect the officer must correct it if—

- (a) the parties agree on the terms of the correction; or
- (b) the court so directs.

(5) Where a court (“the receiving court”), or a party to the proceedings before that court, questions the accuracy of a record of a decision by a court (“the transferring court”) which sent a case for trial, committed, remitted or transferred a case for sentence or other determination, or from which an appeal has been brought to the receiving court—

- (a) the court officer for the transferring court must review that record;
- (b) if that record appears to be correct then the court officer for the transferring court must so inform the receiving court as soon as practicable, explaining that conclusion; and
- (c) if that record appears to be incorrect then the court officer must correct it.”; and

(b) at the end of the note to the rule insert—

“Where a court record accurately records a court’s decision but a party (a) wants the court to change that decision, or (b) questions the court’s power to make that decision, see rules 28.4 (Variation of sentence) and 44.3 (Reopening a case in a magistrates’ court; Setting aside a conviction or varying a costs, etc. order).”.