

## **AMENDMENTS TO THE CRIMINAL PRACTICE DIRECTIONS APRIL 2020**

### **SUMMARY OF KEY CHANGES**

This is the tenth amendment to the Criminal Practice Directions 2015<sup>1</sup>. It is issued by the Lord Chief Justice on 12<sup>th</sup> May 2020 and will come into force on the 13<sup>th</sup> May 2020.

This update provides amendments to existing Criminal Practice Directions and supplements the Criminal Procedure Rules. The Table of Content is amended accordingly.

#### **1. CPD I General matters 3Q: FAILURE TO COMPLY WITH REQUIREMENT TO GIVE NAME, DATE OF BIRTH AND NATIONALITY**

These new paragraphs provide guidance on the correct procedure for prosecuting a person for an offence of failing to provide name, date of birth and nationality, without reasonable excuse, under section 86A(3) of the Courts Act 2003.

#### **2. CPD I General matters 3R: HEARING TO INFORM THE COURT OF SENSITIVE MATERIAL**

These section supports the new CrimPR 3.29 (Hearing to inform the court of sensitive material) and highlights some examples of such sensitive material to which this rule applies to. It also reiterates a hearing to which rule 3.29 applies must be recorded using a suitable and suitably secure device, and stored securely.

#### **3. CPD II PRELIMINARY PROCEEDINGS 7A: FIRST COURT ATTENDANCE AFTER CHARGE AND DETENTION**

These sections outline the practical arrangements which must be made to ensure the first court attendance of a defendant after charge and detention in compliance with section 46 of the Police and Criminal Evidence Act 1984.

#### **4. CPD III CUSTODY AND BAIL 14C PENALTIES FOR FAILURE TO SURRENDER**

The heading of this section has been amended. New sections have been inserted which outline the practical arrangements which must be made after a defendant is arrested for breach of bail,

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<sup>1</sup> [2015] EWCA Crim 1567. Amendment Number 1 [2016] EWCA Crim 97 was issued by the Lord Chief Justice on 23<sup>rd</sup> March 2016 and came into force on the 4<sup>th</sup> April 2016. Amendment Number 2 [2016] EWCA Crim 1714 was issued by the Lord Chief Justice on 16<sup>th</sup> November 2016 and came into force on 16<sup>th</sup> November 2016. Amendment Number 3 [2017] EWCA Crim 30 was issued by the Lord Chief Justice and came into force on the 31<sup>st</sup> January 2017. Amendment Number 4 [2017] EWCA Crim 310 was issued by the Lord Chief Justice on 28<sup>th</sup> March 2017 and came into force on 3<sup>rd</sup> April 2017. Amendment Number 5 [2017] EWCA Crim 1076 was issued by the Lord Chief Justice on 27<sup>th</sup> July 2017 and came into force on 2<sup>nd</sup> October 2017. Amendment Number 6 [2018] EWCA Crim 516 was issued by the Lord Chief Justice on 21<sup>st</sup> March 2018 and came into force on 2<sup>nd</sup> April 2018. Amendment Number 7 [2018] EWCA Crim 1760 was issued by the Lord Chief Justice on 26<sup>th</sup> July 2018 and came into force on the 1<sup>st</sup> October 2018. Amendment Number 8 EWCA [2019] Crim 495 was issued by the Lord Chief Justice on 28<sup>th</sup> March 2019 and came into force on the 1<sup>st</sup> April 2019. Amendment Number 9 EWCA [2019] Crim 1603 was issued by the Lord Chief Justice on 10<sup>th</sup> October 2019 and came into force on 14<sup>th</sup> October 2019.

and which provide guidance on the procedure where the defendant voluntarily attends court after a previous failure to attend.

#### **CPD XIII LISTING G: LISTING OF HEARINGS OTHER THAN TRIALS**

The amendments offer guidance on the appropriate venue for breach proceedings and appeals to the Crown Court from magistrates' courts.