

AMENDMENTS TO THE CRIMINAL PRACTICE DIRECTIONS October 2020

SUMMARY OF KEY CHANGES

This is the eleventh amendment to the Criminal Practice Directions 2015¹. It is issued by the Lord Chief Justice on 29th October 2020 and will come into force on the 16th November 2020.

This update provides amendments to existing Criminal Practice Directions and supplements the Criminal Procedure Rules.

1. CPD I General matters 3A: CASE MANAGEMENT

This amendment will add in substantial or complex disclosure of unused prosecution material as another reason for directing a further pre-trial case management hearing in the Crown Court.

2. CPD I General matters 3M: PROCEDURE FOR APPLICATIONS FOR ARMED POLICE PRESENCE IN THE ROYAL COURTS OF JUSTICE, CROWN COURTS AND MAGISTRATES' COURT BUILDINGS

This amendment will permit police officers to carry Tasers in court buildings alongside their standard Personal Protection Equipment (PPE) when attending on routine court business and when giving evidence.

3. CPD I General matters 3N: USE OF LIVE LINK AND TELEPHONE FACILITIES

This amendment clarifies who may be the 'appropriate adult' contemplated in 3N.13.

4. CPD II PRELIMINARY PROCEEDINGS 7A: FIRST COURT ATTENDANCE AFTER CHARGE AND DETENTION

This amendment clarifies who may be the 'appropriate adult' contemplated in 7A.5(a)(iv).

¹ [2015] EWCA Crim 1567. Amendment Number 1 [2016] EWCA Crim 97 was issued by the Lord Chief Justice on 23rd March 2016 and came into force on the 4th April 2016. Amendment Number 2 [2016] EWCA Crim 1714 was issued by the Lord Chief Justice on 16th November 2016 and came into force on 16th November 2016. Amendment Number 3 [2017] EWCA Crim 30 was issued by the Lord Chief Justice and came into force on the 31st January 2017. Amendment Number 4 [2017] EWCA Crim 310 was issued by the Lord Chief Justice on 28th March 2017 and came into force on 3rd April 2017. Amendment Number 5 [2017] EWCA Crim 1076 was issued by the Lord Chief Justice on 27th July 2017 and came into force on 2nd October 2017. Amendment Number 6 [2018] EWCA Crim 516 was issued by the Lord Chief Justice on 21st March 2018 and came into force on 2nd April 2018. Amendment Number 7 [2018] EWCA Crim 1760 was issued by the Lord Chief Justice on 26th July 2018 and came into force on the 1st October 2018. Amendment Number 8 EWCA [2019] Crim 495 was issued by the Lord Chief Justice on 28th March 2019 and came into force on the 1st April 2019. Amendment Number 9 EWCA [2019] Crim 1603 was issued by the Lord Chief Justice on 10th October 2019 and came into force on 14th October 2019. Amendment Number 10 EWCA [2020] Crim 605 was issued by the Lord Chief Justice on 12th May 2020 and came into force on 13th May 2020.

5. CPD V Evidence 18E: USE OF S.28 YOUTH JUSTICE AND CRIMINAL EVIDENCE ACT 1999; PRE-RECORDING OF CROSS-EXAMINATION AND RE-EXAMINATION FOR WITNESSES CAPTURED BY S.16 YJCEA 1999.

This amendment will replace the term “special measures hearing” with “special measures determination”.