

# CRIMINAL PROCEDURE RULE COMMITTEE

MEETING ON FRIDAY 7<sup>th</sup> FEBRUARY, 2025 at 1.30 p.m.

MINISTRY OF JUSTICE  
102 PETTY FRANCE, LONDON SW1  
and by video conference

## MINUTES

### Present

#### *Committee members*

Lord Justice Holroyde	Court of Appeal judge; deputy chair of the Committee; chair of the meeting
Lord Justice William Davis	Court of Appeal judge
HH Judge Field KC	Circuit judge
HH Judge Norton	Circuit judge
Michael Oliver	District Judge (Magistrates' Courts)
David Barrand	Magistrate
Amy McEvoy	Justices' legal adviser
Stephen Parkinson	Director of Public Prosecutions
Jacob Hallam KC	Barrister
Paul Jarvis	Barrister
Edmund Smyth	Solicitor
Rebecca White	Voluntary organisation representative

#### *Guests*

Sarah Bergstrom	Criminal Appeal Office
Sarah Hannah	Criminal Appeal Office
Professor David Ormerod KC	University College, London
Professor Cheryl Thomas KC	University College, London
Paul Duester	Serious Fraud Office
John Heavens	Ministry of Justice
Amy Atkin	CJS Common Platform Programme

### **Agenda item 1: welcome, announcements, etc.**

The chair welcomed all those attending, in person and by video conference. He welcomed in particular Sarah Bergstrom and Sarah Hannah of the Criminal Appeal Office, attending for the discussion of item 10, and other guests.

He reported apologies for absence from Mrs Justice Foster, Shade Abiodun, Chief Constable Rob Nixon QPM and Robert Thomas.

### **Agenda item 2: draft minutes of the meeting on 13<sup>th</sup> December, 2024**

The draft minutes were adopted, subject to any correction to be notified by members to the secretary.

### **Agenda item 3: case management group report**

The chair reported that the group had:

- 1) reviewed the form of application for a special measures direction and settled adjustments to encourage an applicant for special measures to consider provision for a young witness who was likely to reach the age of 18 before beginning to give evidence.
- 2) settled a form of application for an order under section 7, Bankers' Books Evidence Act 1879 and CrimPR 17.3, and amendments to current forms of application for a witness summons.
- 3) discussed potential amendments to Criminal Practice Directions concerned with jury irregularity and corrected a reference to judicial guidance on dealing with contempt of court.
- 4) reviewed and elaborated a draft form of preparation for effective trial of the alleged breach of a community-based order or post sentence supervision.

### **Agenda item 4 (paper (25)01): Committee programme for 2025**

The Committee:

- 1) briefly reviewed work completed during 2024;
- 2) noted suggestions for future work and agreed to send to the secretary such further suggestions as might arise; and
- 3) discussed, among other subjects, the potential for encouraging a more sympathetic and satisfactory treatment of the victims of crime.

### **Agenda item 5 (paper (25)02): survey of intermediaries' experiences**

The Committee:

- 1) held a preliminary discussion of the survey; and
- 2) postponed further discussion to the next meeting at which a representative of Intermediaries for Justice could attend.

### **Agenda item 6 (papers (25)03 & (23)09): application for transcript, revision of CrimPR 5.5**

The Committee approved in principle the proposed revision of the rule but subject to:

- 1) alignment of references to reporting restrictions in rule 5.5 with corresponding references in rule 5.8; and
- 2) inclusion of reference to the court's power in some circumstances to direct the provision of transcript at public expense.

### **Agenda item 7 (paper (25)04): taking depositions under Schedule 3, Crime and Disorder Act 1998**

The Committee:

- 1) held a preliminary discussion of the proposal;
- 2) agreed that the procedure was rarely used but remained worth providing for; and
- 3) directed the preparation of draft rules.

**Agenda item 8 (papers (25)05 & (24)70): animals to support vulnerable people**

The Committee:

- 1) agreed that such provision might be directed, exceptionally;
- 2) directed substantial abbreviation of the suggested Criminal Practice Directions; and
- 3) directed the removal of detailed provision to a draft form of application for such a direction, for discussion by the Committee's case management group.

**Agenda item 9 (paper (25)06): disclosure and declarations by expert witnesses**

The Committee:

- 1) approved in principle the suggested amendments to Criminal Practice Directions; but
- 2) directed consultation with the Forensic Science Regulator and with the expert witnesses directly affected by the matters in issue before further discussion.

**Agenda item 10 (papers (25)07 & 08): service of notice of appeal under CrimPR Part 42 and associated rule amendments**

The Committee approved the proposed rule amendments.

**Agenda item 11 (paper (25)09): index to the Criminal Procedure Rules, further progress report**

The Committee:

- 1) thanked Mr Barrant for achieving this objective;
- 2) directed publication of the index on the government's Criminal Procedure Rules web pages; and
- 3) identified individual members who would assist in securing its publication in relevant textbooks.

**Agenda item 12 (paper (25)10): guidance for unrepresented defendants, further progress report**

The Committee:

- 1) thanked Mr Barrant and Professor Thomas KC for their continuing work on this objective;
- 2) acknowledged other relevant work recently begun by HM Courts and Tribunals Service; and
- 3) discussed the means by which the guidance would be made available, where, by whom, and at what stage of proceedings.

**Agenda item 13: other business**

No other business was raised.

**Dates of next meetings**

Friday 21<sup>st</sup> March, 2025, and  
Friday 2<sup>nd</sup> May, 2025

The meeting closed at 3pm.