

# **CRIMINAL PROCEDURE RULE COMMITTEE**

**MEETING ON FRIDAY 2<sup>nd</sup> MAY, 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
Mrs Justice Foster	High Court judge
HH Judge Field KC	Circuit judge
HH Judge Norton	Circuit judge
Michael Oliver	District Judge (Magistrates' Courts)
Amy McEvoy	Justices' legal adviser
Stephen Parkinson	Director of Public Prosecutions
Paul Jarvis KC	Barrister
Shade Abiodun	Solicitor
Edmund Smyth	Solicitor
Rebecca White	Voluntary organisation representative

#### *Guests*

Paul Goldspring	Senior District Judge, Chief Magistrate
Professor David Ormerod KC	University College, London
John Heavens	Ministry of Justice
Paul Duester	Serious Fraud Office

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

The chair welcomed all those attending, in person and by video conference. He welcomed in particular the Chief Magistrate, Professor David Ormerod KC, John Heavens of the Ministry of Justice and Paul Duester of the Serious Fraud Office. He reported apologies for absence from David Barrand, Jacob Hallam KC and Robert Thomas.

The chair drew attention to (a) the coming into force on 7<sup>th</sup> April of the most recent amendments to the Criminal Procedure Rules; (b) subjects likely to be discussed at the Committee meeting on 6<sup>th</sup> June; and (c) events to mark the occasion of, among other things, his own retirement, at the Committee meeting on 11<sup>th</sup> July and at the Royal Courts of Justice on 22<sup>nd</sup> July.

**Agenda item 2: draft minutes of the meeting on 21<sup>st</sup> March, 2025**

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

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

Mrs Justice Foster reported that the group had considered revised and abbreviated amendments to:

- 1) the form for commissioning a psychiatric report for sentencing purposes, to invite more information about (a) the hospital place that should be specified by any hospital order made in due course, and (b) information relevant to sentencing guidelines; and
- 2) the draft Practice Direction applicable to a request to be accompanied during proceedings by an emotional support animal, and the draft form of application for use in connection with such a request.

**Agenda item 4 (paper (25)25): Criminal Procedure Rules 2025**

The Committee:

- 1) affirmed its previous decision to re-consolidate the Criminal Procedure Rules this year;
- 2) agreed to postpone the making of the Criminal Procedure Rules 2025 from 6<sup>th</sup> June to 11<sup>th</sup> July, 2025;
- 3) agreed to remove the glossary from the statutory instrument and to publish it only on the Ministry of Justice website; and
- 4) agreed that any comments on the current summaries of rule content which appeared on the Ministry of Justice website should be sent to the secretary by Friday 23<sup>rd</sup> May, 2025.

**Agenda item 5 (papers (25)15 & 16): notice of application for a reporting restriction****Agenda item 6 (paper (25)26): pre-trial consideration of reporting restrictions and other reporting arrangements**

Following lengthy previous and renewed discussion, the Committee agreed to make:

- 1) the amendments to rules 6.2, 6.4 and 6.5 marked in annexe CrimPRC(25)15(a), subject to the addition in rule 6.2 of a cross-reference to rule 6.3 to draw readers' attention to the latter; and
- 2) the amendments to rules 3.16, 3.21, 24.2 and 25.2 marked in annexes CrimPRC(25)26(a), (b) and (c), subject to the omission of each of paragraphs 3.16(2)(b)(ii) and 3.21(2)(e)(ii) because it would not be practicable at that, early, stage to direct arrangements for observation and reporting.

**Agenda item 7 (paper (25)18): adjournment of plea for out of court disposal of case in a youth court**

The Committee agreed that the anticipated Youth Court Bench Book guidance was compatible with material Criminal Procedure Rules.

**Agenda item 8 (paper (25)19): advocate's waiver of defendant's right to attend trial**

**Agenda item 9 (papers (25)20, 20 Addendum & 21): defendant's involuntary absence from trial**

The Committee:

- 1) considered existing rules, guidance and commentary on trial in absence;
- 2) considered the response to the Committee's limited consultation on encouraging the authorisation of a defence advocate to waive the defendant's right to attend;
- 3) agreed that the current rule imposed a strong presumption, but not a prohibition, against trial in involuntary absence;
- 4) thanked all those who had contributed to the proposals and the debate; but
- 5) agreed to make no amendment to current rule CrimPR 25.2.

**Agenda item 10 (paper (25)23): working group on alignment of procedure rules about contempt of court**

The Committee:

- 1) welcomed the initiative by Lord Justice Edis and agreed to participate; and
- 2) agreed that those interested in nomination to the working group should so inform the chair or secretary by Friday 9<sup>th</sup> May, 2025.

**Agenda item 11 (paper (25)27): change of defendant's residence, amendment of community or suspended sentence order**

The Committee approved the proposed rule amendment.

**Agenda item 12 (paper (25)28): Home Office consultation on victim information requests**

The Committee:

- 1) noted the consultation and encouraged any member with comments to respond individually; and
- 2) noted the consultation's potential relevance to the Committee's own anticipated consideration of the requirements of the victims' code.

**Agenda item 13 (paper (25)29): procedure on the taking of a deposition under Schedule 3, Crime and Disorder Act 1998**

The Committee approved the proposed rule amendments, subject to:

- 1) substitution of references to committal to custody for the erroneous references to imprisonment in the notes to rule 17.2;
- 2) inclusion in those notes of a reference to the penalty for disobeying a witness summons imposed by section 3 of the Criminal Procedure (Attendance of Witnesses) Act 1965; and
- 3) elaboration of references to signature in rule 17.8 to make it clear that signature could be by electronic means.

**Agenda item 14 (paper (25)30): disclosure and declaration by expert witnesses**

The Committee agreed to recommend to the Lady Chief Justice the amendments to Criminal Practice Directions marked in annexe CrimPRC(25)30(a).

**Agenda item 15 (paper (25)24): content of Crime and Policing Bill**

The Committee:

- 1) noted the content of the Bill; and
- 2) briefly discussed those provisions of particular relevance to Criminal Procedure Rules.

**Agenda item 16 (paper (25)31): guidance for unrepresented defendants**

**Agenda item 17 (paper (25)32): Criminal Procedure Rules and the victims' code**

The Committee:

- 1) thanked David Barrand and Rebecca White for their work on these subjects; and
- 2) identified for discussion at the next meeting the recommendation for amendments to the Criminal Procedure Rules contained in the report published by the Victims Commissioner, *Justice delayed: The impact of the Crown Court backlog on victims, victim services and the criminal justice system*.

**Agenda item 18: other business**

No other business was raised.

**Dates of next meetings**

Friday 6<sup>th</sup> June, 2025, and

Friday 11<sup>th</sup> July, 2025.

The meeting closed at 3.05pm.