

## **PRACTICE DIRECTION 77 – APPLICATIONS FOR AND RELATING TO SERIOUS CRIME PREVENTION ORDERS **AND REFERRAL OF RELEASE DECISIONS****

This Practice Direction supplements CPR Part 77

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### **SECTION 1 – SERIOUS CRIME PREVENTION ORDERS**

#### **Claim form – application for a SCPO**

**1.1 ...**

### **SECTION 3 – REFERRAL OF RELEASE DECISIONS**

#### **Where to make an application**

**5.1** Any application concerning the referral of a release decision must be filed in the Administrative Court at the Royal Courts of Justice.

## **Victim personal statements**

### **6.1**

(1) The court may allow the victim personal statement (VPS) to be read in court—

- (a) by the maker of the VPS or another person;
- (b) in whole or in part or in a summary; or
- (c) in person or through a video link or recording or by some other means,

having had regard to—

- (i) the wishes of the maker of the VPS;
- (ii) the contents of the VPS; and
- (iii) the potential for any harm to the victim or any other person which may arise from the VPS being read in court.

(2) Where a VPS is read in court under paragraph (1), neither the maker nor the reader shall be cross-examined on it.

(3) Practice Direction 1A applies to any person referred to in this paragraph.

## **Licence conditions**

### **7.1**

If the court makes an order requiring the applicant to give effect to the Parole Board's direction to release the prisoner on licence, before deciding whether to include directions as to the conditions to be included in the respondent's licence on release, the court shall have regard to the guidance in the Ministry of Justice's and His Majesty's Prison and Probation Service's Licence Conditions Policy Framework:

[Licence conditions policy framework - GOV.UK.](#)