

## **A GUIDE TO THE CRIMINAL PROCEDURE RULES 2025 (S.I. 2025/909)**

### **Where to find the new rules**

The Criminal Procedure Rules 2025 are at this address:

<https://www.legislation.gov.uk/uksi/2025/909/contents/made>

When the Rules come into force they will appear at this address, too:

<https://www.gov.uk/guidance/rules-and-practice-directions-2025>

### **What the new rules are for**

The Criminal Procedure Rules 2025 replace the Criminal Procedure Rules 2020.

The 2025 Rules:

- (a) consolidate the rules made in 2020 with the 9 sets of amendments made to those rules since then.
- (b) allow an authorised Crown Court officer to amend the home local justice area specified in a community order or a suspended sentence order made by the court.
- (c) clarify the requirement for giving notice of an application for a reporting restriction.
- (d) make it a duty to consider reporting restrictions and other reporting arrangements during preparation for trial.
- (e) supply the procedure for taking a deposition.
- (f) change the procedure for giving an appeal notice about some confiscation decisions.
- (g) omit the glossary from the Rules (but it will be published separately).
- (h) renumber the rules in Parts 18 and 33 of the Rules as a result of previous amendments, so that:
  - rules 18.18 to 18.28 of the Criminal Procedure Rules 2020 become rules 18.14 to 18.24 of the Criminal Procedure Rules 2025,
  - rules 33.4 to 33.46 of the Criminal Procedure Rules 2020 become rules 33.2 to 33.44 of the Criminal Procedure Rules 2025, and
  - rules 33.51 to 33.70 of the Criminal Procedure Rules 2020 become rules 33.45 to 33.64 of the Criminal Procedure Rules 2025.
- (i) bring up to date 36 cross-references in rules and notes to rules and amend some other rules for consistency of expression.

### **When the new rules come into force**

The rules come into force on Monday 6 October 2025.

### **What is in the new rules**

#### *Power of authorised Crown Court officer to amend community order or suspended sentence order*

Under provisions of the Sentencing Act 2020, while a community order or a suspended sentence order made by a court is in force a probation officer can allow the offender to change the local justice area in which they live. If the probation officer does so, then the 2020 Act requires the court to amend its order correspondingly. Amending the order is a judicial function, but one in which the court has no discretion.

Under Section 67B of the Courts Act 2003 Criminal Procedure Rules may provide for the exercise of some judicial functions by court staff who are authorised to do so. The Rules already allow magistrates' courts' staff to amend the local justice area named in an order of

the court, but not Crown Court staff. Officers of HM Prisons and Probation Service drew attention to that anomaly and to the need at present to ask a Crown Court judge to deal with what would be a purely administrative matter were it not for the terms of the 2020 Act. The Rule Committee agreed that Crown Court staff, too, should be allowed to deal with these amendments to court orders. Rule 2.7(2) of the Criminal Procedure Rules is amended accordingly.

#### *Reporting restrictions and arrangements*

Some restrictions that prevent the reporting of criminal court cases apply automatically. Others may be imposed by the court. The note to rule 6.1 of the Criminal Procedure Rules lists the statutory provisions under which such restrictions may be made. Rule 6.2 of the Rules prohibits the court from exercising any power it has to order a reporting restriction unless, usually, the parties to the case and any other person who will be affected by the restriction has had an opportunity to make representations.

It was reported to the Rule Committee that journalists rarely received notice of an application for a reporting restriction, or notice of a restriction that had been ordered; and that arrangements had been agreed between media representatives and HM Courts and Tribunals Service to facilitate the giving of such notice by creating lists of interested journalists' email addresses which court staff can give to applicants. The Committee was asked to amend the rules to accommodate these arrangements, and agreed to do so. Amendments to rules 6.2, 6.4 and 6.5 of the Rules are for that purpose.

In addition, the Committee observed that responses to a survey of opinion on open justice carried out by the Ministry of Justice<sup>1</sup> included requests by some journalists that courts should consider reporting restrictions and other reporting arrangements as a matter of routine during preparation for trial. The Committee decided to include that requirement in the Rules. Amendments to rules 3.2, 3.16, 3.21, 5.8, 5.11, 24.2 and 25.2 require consideration and review of reporting and similar restrictions, and of arrangements for public observation and reporting, during trial preparation and immediately before trial, and include consequential amendments.

#### *Taking a deposition*

A person who could give evidence about an offence due to be tried in the Crown Court but who refuses to do so voluntarily can be required to attend at a magistrates' court to be questioned, and to have their replies recorded in a written statement called a "deposition", under paragraph 4 of Schedule 3 to the Crime and Disorder Act 1998. That written statement then can be used as evidence in the Crown Court.

The current rules in Part 17 of the Criminal Procedure Rules apply to the issue of a summons or warrant requiring the potential witness to attend court to have a deposition taken. However, those rules do not set out the procedure to be followed once the witness attends court, potentially resulting in inconsistency. It was suggested to the Rule Committee that it would be helpful to have such rules to ensure consistency and efficiency in taking depositions.

The Committee agreed. New rule 17.8 now sets out the procedure. Rules 17.1, 17.2 and 17.3, and the notes to those rules, have been amended to better reflect the courts' statutory powers to require a witness to attend to give evidence, at trial or in a deposition, and the better to describe courts' powers to penalise those who refuse to do so without just excuse.

#### *Appeal in confiscation proceedings*

The Proceeds of Crime Act 2002 allows the Crown Court to order the confiscation of property held by a convicted defendant up to the value of the defendant's financial benefit from their crime or crimes. Where it seems likely that a defendant has benefited from crime then the

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<sup>1</sup> Ministry of Justice *Summary of Responses to the Call for Evidence: Open Justice, the way forward*, published in January 2025 at <https://www.gov.uk/government/consultations/open-justice-the-way-forward>.

Act allows the Crown Court to make a restraint order that prevents any dealing with property to which the order applies.

A defendant against whom a confiscation order is made can appeal to the Court of Appeal against that order and the rules in Part 39 of the Criminal Procedure Rules apply. In addition, in some circumstances the Proceeds of Crime Act 2002 allows prosecutors, and people with an interest in confiscated or restrained property, to appeal against Crown Court decisions affecting that property. The rules about procedure on those appeals are in Part 42 of the Criminal Procedure Rules. While other types of appeal to the Court of Appeal begin with the giving of an appeal notice to the Registrar of Criminal Appeals, at present an appeal to which Part 42 applies begins with an appeal notice to the Crown Court. The Registrar of Criminal Appeals reported that this caused confusion. She suggested that every type of appeal to the Court of Appeal should begin with an appeal notice given to her.

The Rule Committee agreed. Rules 42.11, 42.13 and 42.15 now require a Part 42 appeal to begin with notice to the Registrar. In addition, the Committee took the opportunity to make other rules in Part 42 correspond more closely with rules about the same procedures in other appeal rules, by amendments to rules 42.5, 42.12, 42.16 and 42.20, and by introducing a new rule 42.21 concerning the re-opening of an appeal determination.

Criminal Procedure Rule Committee secretariat  
21 July 2025

### **CrimPR Part 18 destination and derivation table**

The following rules in Part 18 of the Criminal Procedure Rules 2025 correspond with rules in Part 18 of the Criminal Procedure Rules 2020 as follows:

| <i>Destinations</i> |                   | <i>Derivations</i> |                   |
|---------------------|-------------------|--------------------|-------------------|
| <i>2020 Rules</i>   | <i>2025 Rules</i> | <i>2025 Rules</i>  | <i>2020 Rules</i> |
| 18.18               | 18.14             | 18.14              | 18.18             |
| 18.19               | 18.15             | 18.15              | 18.19             |
| 18.20               | 18.16             | 18.16              | 18.20             |
| 18.21               | 18.17             | 18.17              | 18.21             |
| 18.22               | 18.18             | 18.18              | 18.22             |
| 18.23               | 18.19             | 18.19              | 18.23             |
| 18.24               | 18.20             | 18.20              | 18.24             |
| 18.25               | 18.21             | 18.21              | 18.25             |
| 18.26               | 18.22             | 18.22              | 18.26             |
| 18.27               | 18.23             | 18.23              | 18.27             |
| 18.28               | 18.24             | 18.44              | 18.28             |

### **CrimPR Part 33 destination and derivation table**

The following rules in Part 33 of the Criminal Procedure Rules 2025 correspond with rules in Part 33 of the Criminal Procedure Rules 2020 as follows:

| <i>Destinations</i> |                   | <i>Derivations</i> |                   |
|---------------------|-------------------|--------------------|-------------------|
| <i>2020 Rules</i>   | <i>2025 Rules</i> | <i>2025 Rules</i>  | <i>2020 Rules</i> |
| 33.4                | 33.2              | 33.2               | 33.4              |
| 33.5                | 33.3              | 33.3               | 33.5              |
| 33.6                | 33.4              | 33.4               | 33.6              |
| 33.7                | 33.5              | 33.5               | 33.7              |
| 33.8                | 33.6              | 33.6               | 33.8              |
| 33.9                | 33.7              | 33.7               | 33.9              |
| 33.10               | 33.8              | 33.8               | 33.10             |
| 33.11               | 33.9              | 33.9               | 33.11             |
| 33.12               | 33.10             | 33.10              | 33.12             |
| 33.13               | 33.11             | 33.11              | 33.13             |
| 33.14               | 33.12             | 33.12              | 33.14             |
| 33.15               | 33.13             | 33.13              | 33.15             |
| 33.16               | 33.14             | 33.14              | 33.16             |
| 33.17               | 33.15             | 33.15              | 33.17             |
| 33.18               | 33.16             | 33.16              | 33.18             |
| 33.19               | 33.17             | 33.17              | 33.19             |
| 33.20               | 33.18             | 33.18              | 33.20             |
| 33.21               | 33.19             | 33.19              | 33.21             |
| 33.22               | 33.20             | 33.20              | 33.22             |
| 33.23               | 33.21             | 33.21              | 33.23             |
| 33.24               | 33.22             | 33.22              | 33.24             |
| 33.25               | 33.23             | 33.23              | 33.25             |
| 33.26               | 33.24             | 33.24              | 33.26             |
| 33.27               | 33.25             | 33.25              | 33.27             |
| 33.28               | 33.26             | 33.26              | 33.28             |
| 33.29               | 33.27             | 33.27              | 33.29             |
| 33.30               | 33.28             | 33.28              | 33.30             |
| 33.31               | 33.29             | 33.29              | 33.31             |
| 33.32               | 33.30             | 33.30              | 33.32             |
| 33.33               | 33.31             | 33.31              | 33.33             |

| <i>Destinations</i> |                   |
|---------------------|-------------------|
| <i>2020 Rules</i>   | <i>2025 Rules</i> |
| 33.34               | 33.32             |
| 33.35               | 33.33             |
| 33.36               | 33.34             |
| 33.37               | 33.35             |
| 33.38               | 33.36             |
| 33.39               | 33.37             |
| 33.40               | 33.38             |
| 33.41               | 33.39             |
| 33.42               | 33.40             |
| 33.43               | 33.41             |
| 33.44               | 33.42             |
| 33.45               | 33.43             |
| 33.46               | 33.44             |
| 33.51               | 33.45             |
| 33.52               | 33.46             |
| 33.53               | 33.47             |
| 33.54               | 33.48             |
| 33.55               | 33.49             |
| 33.56               | 33.50             |
| 33.57               | 33.51             |
| 33.58               | 33.52             |
| 33.59               | 33.53             |
| 33.60               | 33.54             |
| 33.61               | 33.55             |
| 33.62               | 33.56             |
| 33.63               | 33.57             |
| 33.64               | 33.58             |
| 33.65               | 33.59             |
| 33.66               | 33.60             |
| 33.67               | 33.61             |
| 33.68               | 33.62             |
| 33.69               | 33.63             |
| 33.70               | 33.64             |

| <i>Derivations</i> |                   |
|--------------------|-------------------|
| <i>2025 Rules</i>  | <i>2020 Rules</i> |
| 33.32              | 33.34             |
| 33.33              | 33.35             |
| 33.34              | 33.36             |
| 33.35              | 33.37             |
| 33.36              | 33.38             |
| 33.37              | 33.39             |
| 33.38              | 33.40             |
| 33.39              | 33.41             |
| 33.40              | 33.42             |
| 33.41              | 33.43             |
| 33.42              | 33.44             |
| 33.43              | 33.45             |
| 33.44              | 33.46             |
| 33.45              | 33.51             |
| 33.46              | 33.52             |
| 33.47              | 33.53             |
| 33.48              | 33.54             |
| 33.49              | 33.55             |
| 33.50              | 33.56             |
| 33.51              | 33.57             |
| 33.52              | 33.58             |
| 33.53              | 33.59             |
| 33.54              | 33.60             |
| 33.55              | 33.61             |
| 33.56              | 33.62             |
| 33.57              | 33.63             |
| 33.58              | 33.64             |
| 33.59              | 33.65             |
| 33.60              | 33.66             |
| 33.61              | 33.67             |
| 33.62              | 33.68             |
| 33.63              | 33.69             |
| 33.64              | 33.70             |