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| **APPLICATION FOR A PERSON TO BE ACCOMPANIED IN THE COURT ROOM BY AN ANIMAL FOR EMOTIONAL SUPPORT**  *(Criminal Procedure Rules, r. 18.1(e))* |

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| The court’s permission is needed for a person to be accompanied by an animal for emotional support in the courtroom or while taking part by live video link from elsewhere. The court’s permission is NOT needed for a person to be accompanied by an assistance dog (for example, a guide dog).  See Chapter 4 of the [Equal Treatment Bench Book](https://www.judiciary.uk/about-the-judiciary/diversity/equal-treatment-bench-book/) and the guidance notes (‘GN’) at the end of this form.  **Case details**  Name of defendant(s): ………………………………………………………………………………………………...  Court: ……………………………………………………………………………………………………………………  Case reference number / URN: ………………………………………………………………………………………  Name of applicant: ……………………………………………………………………………………………………..  **This is an application for permission for an emotional support animal to accompany:**  a witness  a defendant  another participant  If for another participant, describe their role: ……………………………………………………………………….  **Do you want this application to be dealt with at a hearing?**  Yes  No  If yes, explain why**:**  **How to use this form**  1. Give the information required above and collected in the boxes below. If you use an electronic version of this form, the boxes will expand. If you use a paper version and need more space, you may attach extra sheets.  2. Sign and date the completed form.  3. Send a copy of this form to the court and to each party.  You must make this application as soon as reasonably practicable: CrimPR 18.4. If you do not, the court may refuse to give permission.  A party who wants to make representations about this application must serve those representations **not more than 10 business days after receiving it**. |

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| **1) Person to be accompanied**  (a) **Give the name of the person to be accompanied by an animal for emotional support:**  (b) **If that person is a witness, explain how the presence of the animal is likely to maximise as far as practicable the quality of that person’s evidence:**  (c) **If that person is a defendant or other participant, explain how the presence of the animal is likely to facilitate their effective participation in the trial:**  (d) **What views, if any, has this person expressed about being accompanied by the animal:** |
| **2) Hearing(s)**  (a) **List the hearing(s), or part(s) of hearing(s), at which you want this person to be accompanied by an animal for emotional support (e.g. for the whole hearing, or only while the person to be accompanied gives evidence):**  (b) **If you want this person to be accompanied by an animal for emotional support while giving evidence, do you want them to give evidence in the court room or by live link from elsewhere?**[GN](#A) |
| **3) Animal to accompany the witness, defendant or other participant**  (a) **Type of animal.** If a dog, give the breed.  (b) **Training.** What, if any, training has the animal received?  (c) **Comfort.** What arrangements will be made to ensure the animal’s comfort?[GN](#B)  (d) **Control.** What arrangements will be made to keep control of the animal?[GN](#C)  (e) **Responsibility.** Who will be responsible for the animal while it is in the court room or live link room?[GN](#D) |
| **4) Other information**  Give any other information that you think the court should take into account when considering this application: |

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| **Signed:** …………………………………….……………………………………………………………….. (prosecutor)  (defendant / defendant’s representative)  Date: ……………………………………………………………………………….. |

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| **Decision**  I [give] [refuse to give] permission for the [witness] [defendant] [other person] the subject of this application to be accompanied in the courtroom by the animal to which this application refers.[[1]](#footnote-1)  I [give] [refuse to give] permission for the [witness] [defendant] [other person] the subject of this application to be accompanied by the animal to which this application refers while taking part in a trial by video link from elsewhere.[[2]](#footnote-2)  [I give permission on the following conditions:  *The court may give permission subject to specified preparations and arrangements.*]  Observations:  Signed: ………………………………………..…………………………………………………………...…  Name: ………………………………………..…………..…..… [Judge]  [District Judge (Magistrates’ Court)]  [Justice of the Peace]  Date: …………………………. |

**Guidance notes**

See Chapter 4 of the Equal Treatment Bench Book published at <https://www.judiciary.uk/about-the-judiciary/diversity/equal-treatment-bench-book/>, “Adjustments for the hearing”, paragraphs 61 – 65 at page 84.

**Live link.** If you want this person to give evidence by live link while accompanied by the animal then you will need to apply also for a live link direction, or (if the witness is eligible) for a special measures direction. The application forms are published at <https://www.gov.uk/government/publications/application-for-a-live-link-direction> and <https://www.gov.uk/government/publications/application-for-a-special-measures-direction>.

**Comfort arrangements.** Arrangements may be needed for the animal to lie down beside the person accompanied. Arrangements will be needed for the animal to drink as necessary and to urinate and defecate as necessary.

**Control arrangements.** The use of an appropriate lead, harness or other restraint may be needed. Arrangements may be needed to prevent sounds or movements made by the animal from distracting other participants.

**Responsibility.** The animal may need someone to attend to it while the person accompanied is concentrating on giving, or listening to, evidence.

The court must consider **potential effects of the animal on all participants**, not only the person to be accompanied. Those effects may be:

* allergic or other physical reactions. The court will need to enquire into the risk of other participants experiencing allergic or other adverse physical reactions to the animal’s presence.
* fear or other psychological reactions. The court will need to enquire into the risk of other participants suffering fear or some other adverse psychological reaction to the animal’s presence.
* perceptions of injustice. The court will need to enquire into the possibility of other participants perceiving the animal’s presence as favouring one party or participant over another, or otherwise as unjust.

The court will expect all parties to obtain relevant information and to make representations about this application accordingly. The court will also require the views of court staff.

1. Delete as applicable. [↑](#footnote-ref-1)
2. Delete as applicable. [↑](#footnote-ref-2)