

CRIMINAL PROCEDURE RULE COMMITTEE

MEETING ON FRIDAY 11th JULY, 2025 at 1.30 p.m.

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

MINUTES

Present

Committee members

Lady Chief Justice
Lord Justice Holroyde

Mrs Justice Foster
HH Judge Field KC
HH Judge Norton
Michael Oliver
David Barrand
Amy McEvoy
Stephen Parkinson
Jacob Hallam KC
Paul Jarvis KC
Edmund Smyth
Shade Abiodun
Rebecca White

Chair of the Committee
Court of Appeal judge; deputy chair of the
Committee; chair of the meeting
High Court judge
Circuit judge
Circuit judge
District Judge (Magistrates' Courts)
Magistrate
Justices' legal adviser
Director of Public Prosecutions
Barrister
Barrister
Solicitor
Solicitor
Voluntary organisation representative

Guests

Paul Goldspring
Professor David Ormerod KC
Professor Cheryl Thomas KC
John Heavens

Senior District Judge, Chief Magistrate
University College, London
University College, London
Ministry of Justice

Agenda item 1: welcome, announcements, etc.

The chair reported with great sadness the death of Lord Justice William Davis on the day after the last Committee meeting. He described Sir William's immense contribution to the criminal courts, to criminal justice, to sentencing law and to the Rule Committee. On this 21st anniversary of the Rule Committee and 20th anniversary of the first Criminal Procedure Rules, he referred to other late members past and to the contributions which all had made.

The chair welcomed all those attending, in person and by video conference, and reported apologies for absence from Robert Thomas.

He drew attention to the recent report of Sir Brian Leveson's *Independent Review of the Criminal Courts*.

Agenda item 2: draft minutes of the meeting on 6th June, 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 discussed a proposed new form of application for an information order under section 339ZH of the Proceeds of Crime Act 2002 and had asked for a revision, to be based more closely on the structure of relevant rules and on the style of comparable other application forms.

Agenda item 4 (papers (25)43 & 52): signature of the Criminal Procedure Rules 2025

Committee members assented to the Rules, by manuscript signature or by email.

Agenda item 5 (paper (25)44 & 13): open justice and access to information in court records

The Committee:

- 1) discussed the recent judgment in *In re HMP* and the scope of the open justice principle.
- 2) agreed that no rule amendment was required but that it would assist users of the Rules to include in CrimPR Part 5 a note that drew attention to the purpose of the open justice principle as explained in the judgment.

Agenda item 6 (paper (25)45): taking account of a victim personal statement

The Committee:

- 1) discussed the value and importance of a victim personal statement.
- 2) noted that on occasions information about the effect on the individual victim of an offence might be available in a witness statement other than a separate victim personal statement.
- 3) noted that current rules and practice directions anticipated reliance on a victim personal statement and permitted adjournment for one to be sought if not immediately available to the sentencing court.
- 4) discussed the potential for repetition of reference in the rules to lend emphasis, but expressed concern that the repetition proposed might imply that other information essential to sentencing should be accorded less weight.
- 5) by a majority declined to elaborate the current rules as had been proposed.

Agenda item 7 (paper (25)46): prohibited steps orders on conviction

The Committee:

- 1) discussed pending and further potential amendments to the Children Act 1989 that would require the Crown Court to make an order prohibiting the exercise of parental responsibility by a convicted defendant.
- 2) approved in principle the proposed rule amendments, subject to (i) elaboration of the reference to the child victim of a parent's sexual offence, and (ii) rephrasing to emphasise the mandatory nature of the order, with representations directed only to potential exceptions to the court's duty.

Agenda item 8 (paper (25)47): defendant’s attendance at sentencing hearing

The Committee:

- 1) noted the proposed primary legislation and remarked the difficulties that it might present.
- 2) approved in principle the proposed rule amendments in the event that the legislation passed.

Agenda item 9 (paper (25)48): stalking protection orders on conviction or acquittal, etc.

The Committee:

- 1) noted the proposed primary legislation.
- 2) discussed present and potential future means of imposing a stalking protection order, or comparable prohibitions or requirements, pending the conclusion of a prosecution.
- 3) approved in principle the proposed rule amendments in the event that the legislation passed, subject to (i) some adjustments to the descriptions of orders in the note to rule 31.1, and (ii) review and further discussion in due course of the references to initiating circumstances in rule 31.3.

Agenda item 10 (paper (25)49): confiscation proceedings

The Committee:

- 1) noted the proposed primary legislation.
- 2) approved in principle the proposed rule amendments in the event that the legislation passed, subject to elaboration of the reference to the court’s power to direct the parties’ and others’ attendance at an early resolution of confiscation meeting.

Agenda item 11 (paper (25)50): Criminal Law Reform Now Network review of mutual legal assistance, extradition and extra-territorial jurisdiction

The Committee:

- 1) welcomed and discussed the review.
- 2) welcomed reports that Parliamentarians already had shown interest in the proposed law reform.

Agenda item 12 (paper (25)51): guidance for unrepresented defendants

The Committee:

- 1) thanked David Barrand and Professor Thomas KC for their valuable continuing work.
- 2) discussed the means by which the guidance, when complete, would be made available.

Agenda item 13: other business

This being the last meeting due to be attended by Lord Justice Holroyde and Shade Abiodun as Committee members, the Lady Chief Justice thanked both for their contributions to the Committee’s work.

Dates of next meetings

Friday 3rd October, 2025, and
Friday 7th November, 2025.

The meeting closed at 3.15pm.