STATUTORY INSTRUMENTS

2026 No. 721 (L. 13)

SENIOR COURTS OF ENGLAND AND WALES

MAGISTRATES' COURTS, ENGLAND AND WALES

The Criminal Procedure (Amendment) (No. 2) Rules 2026

Made - - - -	*29th June 2026*
Laid before Parliament	*2nd July 2026*
Coming into force in accordance with rule 2	

The Criminal Procedure Rule Committee makes the following Rules under section 69 of the Courts Act 2003(**a**), after consulting in accordance with section 72(1)(a) of that Act.

Citation

1. These Rules may be cited as the Criminal Procedure (Amendment) (No. 2) Rules 2026.

Commencement

2. These Rules come into force on 5th October 2026, save for—

(a) rule 12(b), (d), (e)(iii) and (g)(iii), which comes into force at the same time as section 18 of the Victims and Prisoners Act 2024(**b**);

(b) the following rules, which come into force at the same time as section 6 of the Sentencing Act 2026(**c**)—

(i) rule 6;

(ii) rule 11(a) and (c)(i);

(iii) rule 12(e)(i), (ii) and (g)(i);

(c) the following rules, which come into force at the same time as section 1 of the Victims and Courts Act 2026(**d**)—

(i) rule 12(a), (c) and (g)(ii);

(ii) rule 18(a);

(d) the following rules, which come into force at the same time as Schedule 18 to the Crime and Policing Act 2026(**e**)—

(i) rule 17;

(**a**) 2003 c. 39; section 69 was amended by section 146 of, and paragraphs 308 and 332 of Schedule 4 and Part 2 of Schedule 18 to, the Constitutional Reform Act 2005 (c. 4).
(**b**) 2024 c. 21; section 18 comes into force on a day to be appointed under section 81(2).
(**c**) 2026 c. 2; section 6 comes into force on a day to be appointed under section 49(1).
(**d**) 2026 c. 19; section 1 comes into force on a day to be appointed under section 18(1).
(**e**) 2026 c. 20; Schedule 18 comes into force on a day to be appointed under section 255(1).

(ii) rule 18(b).

Amendment of the Criminal Procedure Rules 2025

3. The Criminal Procedure Rules 2025(**a**) are amended in accordance with rules 4 to 18.

Amendment of Part 2

4. In Part 2 (understanding and applying the Rules; powers and duties of court officers and justices' legal advisers)—

(a) in rule 2.4 (exercise of court's functions by authorised court officers: general rules), at the end of paragraph (3)(e) insert ", except to the extent that rule 2.8 allows";

(b) in rule 2.8 (exercise of functions of magistrates' courts)—

(i) in paragraph (3) for "the other functions of a magistrates' court listed in" substitute "a function of a magistrates' court listed in any of";

(ii) for "In connection", in each place it occurs, substitute "Associated primarily";

(iii) in paragraph (4)—

(aa) in sub-paragraph (a) omit the words from ", where" to the end;

(bb) insert "and" after sub-paragraph (e)(iv);

(cc) after sub-paragraph (e)(iv) insert—

"(v) giving a ruling to which section 8A of the Magistrates' Courts Act 1980(**b**) (power to make rulings at pre-trial hearing) refers where there is no objection to the ruling;";

(dd) for sub-paragraph (h) substitute—

"(h) where there is no objection to the order, imposing a reporting restriction under—

(i) section 45 of the Youth Justice and Criminal Evidence Act 1999(**c**) (identity of a person under 18), or

(ii) section 8C of the Magistrates' Courts Act 1980(**d**) (rulings and decisions under sections 8A and 8B of that Act);";

(iv) in paragraph (8)—

(aa) omit the "and" after sub-paragraph (b);

(bb) insert "; and" after sub-paragraph (c);

(cc) after sub-paragraph (c) insert—

"(d) ordering interim disqualification from driving under section 26 of the Road Traffic Offenders Act 1988(**e**), unless—

(i) the defendant has served on the court officer representations to which rule 29.1 refers (Representations about obligatory disqualification or endorsement), or

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(**a**) S.I. 2025 No. 909 (L. 7); amended by S.I. 2026/47.

(**b**) 1980 c. 43; section 8A was inserted by Schedule 3 to the Courts Act 2003 (c. 39) and subsequently amended by paragraph 14 of Schedule 5 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) and by S.I. 2006/2493.

(**c**) 1999 c. 23.

(**d**) Section 8C was inserted by Schedule 3 to the Courts Act 2003 and subsequently amended by paragraph 15 of Schedule 5 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 and section 15 of the Judicial Review and Courts Act 2022 (c. 35).

(**e**) 1988 c. 53; section 26 was amended by section 25 of, and the Schedule to, the Road Traffic Act 1991 (c. 40), paragraph 143 of Schedule 13 to the Access to Justice Act 1999 (c. 22), paragraph 119 of Schedule 9 to the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), paragraph 34 of Schedule 5 to the Crime (International Co-operation) Act 2003 (c. 32), paragraph 312 of Schedule 8 to the Courts Act 2003, paragraph 32 of Schedule 3 to the Road Safety Act 2006 (c. 49), paragraph 99 of Schedule 24 to the Sentencing Act 2020 (c. 17) and paragraph 3 of Schedule 10 to the Police, Crime, Sentencing and Courts Act 2022 (c. 32) and by S.I. 1996/1974.

(ii) the defendant states an intention to make such representations at the sentencing hearing.";

(v) in the note to the rule, for the third and fourth paragraphs substitute—

"*Under section 50 of the Crime and Disorder Act 1998*(**a**)*, where a defendant has been charged with an offence at a police station, the magistrates' court before which that defendant appears or is brought for the first time in relation to the charge may consist of a single justice; if the defendant is represented, or has been given an opportunity to apply for representation, then at such a hearing that justice may exercise such of the powers of a single justice as they think fit; and where on such an occasion the powers of a single justice are exercised by an authorised court officer that court officer may not remand the defendant in custody or, without the consent of the prosecutor and the defendant, remand the defendant on bail on conditions other than those (if any) previously imposed. The functions of a single justice include allocation and sending for trial: see section 17E of the Magistrates' Courts Act 1980*(**b**) *and sections 51(13) and 51A(11) of the Crime and Disorder Act 1998.*

Under section 8A of the Magistrates' Courts Act 1980, at a pre-trial hearing a magistrates' court may make a ruling as to any question as to the admissibility of evidence and any other question of law relating to the case. Under section 8B(3) of the 1980 Act(**c**)*, a magistrates' court may discharge or vary (or further vary) a pre-trial ruling within the meaning of section 8A of that Act if the court has given the parties an opportunity to be heard and if, among other things, there has been a material change of circumstances since the ruling was made or, if a previous application has been made, since the application (or last application) was made. Under section 8C of that Act, the court may impose restrictions on the reporting of such decisions.*".

Amendment of Part 3

5. In Part 3 (case management), in rule 3.8 (case preparation and progression)—

(a) for paragraph (7)(a)(ii) substitute—

"(ii) if the companion is a person whose role is specified in regulations made under section 16 of the Victims and Prisoners Act 2024(**d**) (guidance about specified victim support roles) (in this rule referred to as a "specified person"), must as a general rule allow that person to sit next to or near the witness in the courtroom or at any other place where the witness takes part, subject to any direction under rule 3.9 (Ground rules hearing);";

(b) in sub-paragraph (7)(b)—

(i) for "an accompanying adviser" substitute "a specified person";

(ii) for paragraph (i) substitute—

"(i) that person's presence, that person's name and the identity of the witness whom that person will accompany, and";

(iii) in paragraph (ii), for "the adviser" substitute "that person";

(c) in sub-paragraph (7)(c), for "an adviser or other" substitute "a";

(d) omit paragraph (8);

(e) renumber paragraph (9) as (8);

(**a**) 1998 c. 37; section 50 was amended by Part 1 of Schedule 15 to the Access to Justice Act 1999, Part 4 of Schedule 37 to the Criminal Justice Act 2003 (c. 44), paragraph 47 of Schedule 5 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 and paragraph 22 of the Schedule to the Courts and Tribunals (Judiciary and Functions of Staff) Act 2018 (c. 33) and by S.I. 2006/2493.

(**b**) 1980 c. 43; section 17E was inserted by paragraph 3 of Schedule 3 to the Criminal Justice Act 2003 (c. 44).

(**c**) Section 8B was inserted by Schedule 3 to the Courts Act 2003 (c. 39) and subsequently amended by Part 4 of Schedule 37 to the Criminal Justice Act 2003.

(**d**) 2024 c. 21.

(f) in the first paragraph of the note to the rule, for sub-paragraph (c) substitute—

"*(c) the Victim Support (Specified Roles) Regulations 2025*(**a**) *and guidance issued under section 16 of the Victims and Prisoners Act 2024. The Regulations specify—*

(i) the role of an independent domestic violence adviser (also described in the statutory guidance(**b**) *as an "IDVA"), which is to provide independent support to an individual who is a victim of criminal conduct which constitutes domestic abuse within the meaning of the Domestic Abuse Act 2021*(**c**)*, where the support provided relates to that conduct,*

(ii) the role of an independent sexual violence adviser (also described in the statutory guidance(**d**) *as an "ISVA"), which is to provide independent support to an individual who is a victim of criminal conduct which constitutes conduct of a sexual nature, where the support provided relates to that conduct, and*

(iii) the role of an independent stalking advocate (also described in the statutory guidance(**e**) *as an independent stalking advocacy caseworker, or "ISA/C"), which is to provide independent support to an individual who is a victim of criminal conduct which involves acts associated with stalking (to be read in accordance with section 2A of the Protection from Harassment Act 1997*(**f**)*). (Such a person is not an advocate within the meaning of rule 2.2 of these Rules.)*".

Amendment of Part 5

6. In Part 5 (forms and court records), in rule 5.4 (duty to make records), in paragraph (1)—

(a) omit the "and" after sub-paragraph (n);

(b) insert "; and" after sub-paragraph (o);

(c) after sub-paragraph (o) insert—

"(p) any view announced by the court on passing sentence that an offence involved domestic abuse within the meaning of the Domestic Abuse Act 2021.".

Amendment of Part 6

7. In Part 6 (reporting, etc. restrictions), in the note to rule 6.1 (when this Part applies)—

(a) in the first paragraph—

(i) omit the "or" after sub-paragraph (g);

(ii) insert "; or" after sub-paragraph (h);

(iii) after sub-paragraph (h) insert—

"*(i) section 200 of the Crime and Policing Act 2026*(**g**) *(identity of an authorised firearms officer charged with a qualifying offence).*";

(b) after the paragraph that begins "The court has an inherent power" insert—

"*Under section 200 of the Crime and Policing Act 2026 the court—*

(a) must cause the name, address and date of birth of an authorised firearms officer charged with a qualifying offence to be withheld from the public unless that would be contrary to the interests of justice; and

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(**a**) S.I. 2025/455.
(**b**) Published at https://www.gov.uk/government/publications/independent-domestic-violence-adviser-statutory-guidance.
(**c**) 2021 c. 17.
(**d**) Published at https://www.gov.uk/government/publications/independent-sexual-violence-adviser-statutory-guidance.
(**e**) Published at https://www.gov.uk/government/publications/independent-stalking-advocate-statutory-guidance.
(**f**) 1997 c. 40; section 2A was inserted by section 111(1) of the Protection of Freedoms Act 2012 (c. 9).
(**g**) 2026 c. 20.

(b) may make an anonymity order in respect of such an officer if is necessary in the interests of justice to do so.".

Amendment of Part 7

8. In Part 7 (starting a prosecution in a magistrates' court), in rule 7.2 (application for summons, etc.)—

(a) for paragraph (14) substitute—

"(14) The court must not issue a summons or warrant if that would be incompatible with a statutory provision or other rule of law.";

(b) in the note to the rule, after the second paragraph insert—

"*Where all the relevant statutory requirements for the issue of a summons or warrant are met, including any time limit, the court may nonetheless have to refuse to issue it in circumstances established in case law. Those circumstances include any case in which (but this is not an exhaustive list)—*

(a) the prosecutor asserts facts incapable of proof in a criminal court as a matter of law;

(b) the defendant has immunity from prosecution for the conduct alleged;

(c) though made within the statutory time limit applicable, the application is nonetheless delayed for an unconscionable period of time;

(d) the prosecutor fails to disclose all the information that is material to what the court must decide;

(e) the same defendant has been acquitted or convicted for substantially the same conduct;

(f) a court has previously determined an application by the same prosecutor which alleged the same or substantially the same offence against the same defendant on the same or substantially the same asserted facts;

(g) the same defendant is being, or has been, prosecuted by another prosecutor for substantially the same conduct;

(h) the prosecution would constitute an assertion that the decision of another court or authority was wrong where that decision has been, or could have been, or could be, questioned in other proceedings or by other lawful means;

(i) the prosecutor has—

(i) reached a binding agreement with the defendant not to prosecute, or

(ii) made representations that no prosecution would be brought, on which the defendant has acted to the defendant's detriment;

(j) the prosecutor's dominant motive would render the prosecution an abuse of the process of the court; or

(k) the application is in any other respect improper or vexatious.".

Amendment of Part 13

9. In Part 13 (warrants for arrest, detention or imprisonment), in rule 13.5 (execution of a warrant), after paragraph (4) insert—

"(5) Where a defendant is present for any purpose before a court—

(a) the court officer must—

(i) find out whether a warrant of arrest issued in the same or another case remains outstanding in respect of that defendant, and

(ii) if so, inform the court; and

(b) a court so informed may—

(i) take such account of that information as the court thinks fit in making any decision required of it on that occasion, and

(ii) give such directions as are lawful and practicable in respect of the execution of an outstanding warrant.".

Amendment of Part 18

10. In Part 18 (measures to help a witness or defendant to give evidence or otherwise participate), in rule 18.8 (special measures directions; exercise of court's powers)—

(a) for paragraph (2) substitute—

"(2) Where a direction provides for evidence to be admitted under section 28 of the Youth Justice and Criminal Evidence Act 1999(**a**) (Video recorded cross-examination or re-examination)—

(a) the court must consider giving a direction for any one or more of the following, whether an application for such a direction is made or not—

(i) exclusion from the court during the cross-examination and any re-examination of persons of any description specified in the direction, under section 25 of the 1999 Act(**b**) (Evidence given in private),

(ii) identification by the court officer of any person attending the cross-examination and any re-examination who could be excluded by a direction under section 25 of that Act but who is not so excluded, and the recording of any such person's identity, and

(iii) a reporting restriction under section 4(2) of the Contempt of Court Act 1981(**c**) (Contemporary reports of proceedings; order to postpone reporting of proceedings); and

(b) the court must set a timetable that provides for—

(i) the date of any ground rules hearing under rule 3.9,

(ii) the date on which the cross-examination and any re-examination will be recorded,

(iii) the date by which any application under section 28(5) of the 1999 Act must be made for a direction for further cross-examination or re-examination,

(iv) the date by which any application must be made to exclude as evidence any part of the recording, and

(v) the date by which any editing of the recording must be completed.";

(b) at the end of the rule insert—

"*[Note. See also—*

(a) rules 24.4(2) and 25.11(2) (Evidence of a witness in person), which usually require the exclusion from the courtroom of a prospective witness before that person gives evidence, unless that person is a party or an expert witness; and

(b) Part 6 (Reporting, etc. restrictions).]".

Amendment of Part 24

11. In Part 24 (trial and sentence in a magistrates' court), in rule 24.11 (procedure if the court convicts)—

(a) in paragraph (9)—

(**a**) 1999 c. 23; section 28 was amended by paragraph 384 of Schedule 8 to the Courts Act 2003 (c. 39).
(**b**) Section 25 was amended by section 46 of the Modern Slavery Act 2015 (c. 30) and section 62 of the Domestic Abuse Act 2021 (c. 17) and by S.I. 2013/554.
(**c**) 1981 c. 49.

(i) renumber sub-paragraphs (b) to (e) as sub-paragraphs (c) to (f) respectively;

(ii) after sub-paragraph (a) insert—

"(b) if of the view that an offence for which it is sentencing the defendant involved domestic abuse, within the meaning of sections 1 and 2 of the Domestic Abuse Act 2021(**a**), announce that view;";

(b) in paragraph (10), in sub-paragraph (b) omit "for up to 6 months";

(c) in the note to the rule—

(i) in the first paragraph, after "52," insert "56A,"(**b**);

(ii) for the paragraph beginning "Under section 3 of the Sentencing Act 2020" substitute—

"*Under section 3 of the Sentencing Act 2020, if (among other things) the defendant consents, the court may defer sentence for the purpose of allowing it to take account of the defendant's conduct after conviction, or any change in the defendant's circumstances. A deferment order may impose requirements as to the defendant's conduct during the period of deferment. Under section 5 of the 2020 Act*(**c**) *the period of deferment may not be for more than—*

(a) 6 months after the date on which the order is made, if the defendant was convicted of the offence, or any of the offences, before 22nd March 2026; and

(b) 12 months after the date on which the order is made, if the defendant was convicted of the offence, or all of the offences, on or after 22nd March 2026.".

Amendment of Part 25

12. In Part 25 (trial and sentence in the Crown Court), in rule 25.16 (procedure if the court convicts)—

(a) in paragraph (2)—

(i) insert "; and" after sub-paragraph (c);

(ii) after sub-paragraph (c) insert—

"(d) if sentence is adjourned and the defendant is detained in custody meanwhile—

(i) to order the defendant to attend court for the sentencing hearing, under section 41A of the Sentencing Act 2020(**d**) (Power to order offender to attend),

(ii) to make such an order at a hearing in public or in private, or without a hearing, and in the presence or absence of the defendant, and

(iii) to explain, or require there to be explained, to the defendant, in terms the defendant can understand (with help, if necessary), that the court can impose a penalty for contempt of court, or prison sanctions, or both, for failure without just excuse to comply with such an order.";

(b) in paragraph (3)—

(i) omit the "and" after sub-paragraph (d);

(ii) insert "; and" after sub-paragraph (e);

(iii) after sub-paragraph (e) insert—

"(f) provide any other information and make any representations required by the court where the court must make a prohibited steps order under section 10A of the

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(**a**) 2021 c. 17.

(**b**) Section 56A of the Sentencing Act 2020 (c. 17) is inserted by section 6 of the Sentencing Act 2026 (c. 2) with effect from a day to be appointed.

(**c**) Section 5 was amended by section 5 of the Sentencing Act 2026.

(**d**) Section 41A of the Sentencing Act 2020 is inserted by section 1 of the Victims and Courts Act 2026 (c. 19) with effect from a day to be appointed.

Children Act 1989(**a**) (Duty to make prohibited steps order where one parent kills another);";

(c) in paragraph (3)—

(i) omit the "and" after sub-paragraph (e) as amended by paragraph (b) of this rule;

(ii) insert "and" after sub-paragraph (f) as inserted by paragraph (b) of this rule;

(iii) after sub-paragraph (f) insert—

"(g) apply for an order requiring the defendant to attend court for the sentencing hearing where—

(i) the court can make such an order, under section 41A of the Sentencing Act 2020, and

(ii) the prosecutor suspects that the defendant will refuse to attend court for that hearing.";

(d) in paragraph (6)—

(i) after "Before passing sentence" insert ", or making a prohibited steps order where that is required";

(ii) in sub-paragraph (a), for "evidence relevant to sentence" substitute "any evidence relevant to those decisions";

(e) in paragraph (7)—

(i) renumber sub-paragraphs (b) and (c) as sub-paragraphs (d) and (e) respectively;

(ii) after sub-paragraph (a) insert—

"(b) if of the view that an offence for which it is sentencing the defendant involved domestic abuse, within the meaning of sections 1 and 2 of the Domestic Abuse Act 2021(**b**), announce that view;";

(iii) after sub-paragraph (b) as inserted by sub-paragraph (ii) of this rule, insert—

"(c) make a prohibited steps order under section 10A of the Children Act 1989, subject to any exception for which that section provides;";

(f) for paragraph (8) substitute—

"(8) The general rule under paragraph (7)(a) is subject to the court's power to defer sentence.";

(g) in the note to the rule—

(i) in the first paragraph, after "52," insert "56A,"(**c**);

(ii) after the paragraph that begins "Under section 20A of the Criminal Justice Act 1991" insert—

"*Under section 41A of the Sentencing Act 2020, the Crown Court may order a defendant to attend a sentencing hearing where—*

(a) the defendant has been convicted of an offence;

(b) the defendant is to be detained in custody while awaiting sentencing by the Crown Court; and

(c) the defendant has refused, or there are reasonable grounds to suspect that the defendant will refuse, to attend court for the sentencing hearing.

Where the defendant is under 18 the court must consult the relevant youth offending team before making an order.

(**a**) 1989 c. 41; section 10A is inserted by section 18 of the Victims and Prisoners Act 2024 (c. 21) with effect from a day to be appointed.

(**b**) 2021 c. 17.

(**c**) Section 56A of the Sentencing Act 2020 (c. 17) is inserted by section 6 of the Sentencing Act 2026 (c. 2) with effect from a day to be appointed.

Where the defendant is aged 18 or over, for the purpose of delivering the defendant to the courtroom a prison or other custody officer may use reasonable force if necessary and proportionate.

A defendant who fails without reasonable excuse to comply with such an order commits a contempt of court.

Under section 41B of the Sentencing Act 2020(**a**)*, where the defendant is aged 18 or over (subject to some exceptions for those aged 18, 19 or 20) and commits a contempt of court (i) by failing to comply with an order to attend court for a sentencing hearing, or (ii) by interrupting the sentencing hearing or otherwise misbehaving and being removed because of their conduct, in dealing with that contempt the court may make a prison sanctions order instead of, or in addition to, exercising any other power.*";

(iii) after the paragraph that begins "The Sentencing Council may issue sentencing guidelines" insert—

"*Under section 10A of the Children Act 1989, where a defendant with parental responsibility for a child is convicted of the murder of the child's other parent, or convicted of the manslaughter of that other parent in circumstances in which but for loss of control or diminished responsibility the defendant would have been liable to be convicted of murder—*

(a) the court must make a "prohibited steps order" specifying that no step which could be taken by a parent in meeting their parental responsibility for a child may be taken by the defendant with respect to the child without the consent of the High Court or the family court unless—

(i) such an order already is in force, or

(ii) where the defendant is convicted of manslaughter, it appears to the Crown Court that it would not be in the interests of justice to make such an order; and

(b) such an order must be made to have effect until it is varied or discharged by the High Court or the family court.

Under section 10B of the 1989 Act(**b**)*, the relevant local authority must apply to the High Court or to the family court for a review of the prohibited steps order made by the Crown Court.*";

(iv) for the paragraph that begins "Under section 3 of the Sentencing Act 2020" substitute—

"*Under section 3 of the Sentencing Act 2020, if (among other things) the defendant consents, the court may defer sentence for the purpose of allowing it to take account of the defendant's conduct after conviction, or any change in the defendant's circumstances. A deferment order may impose requirements as to the defendant's conduct during the period of deferment. Under section 5 of the 2020 Act the period of deferment may not be for more than—*

(a) 6 months after the date on which the order is made, if the defendant was convicted of the offence, or any of the offences, before 22nd March 2026; and

(b) 12 months after the date on which the order is made, if the defendant was convicted of the offence, or all of the offences, on or after 22nd March 2026.]".

(**a**) Section 41B is inserted by section 1 of the Victims and Courts Act 2026 with effect from a day to be appointed.
(**b**) Section 10B of the Children Act 1989 (c. 41) is inserted by section 18 of the Victims and Prisoners Act 2024 (c. 21) with effect from a day to be appointed.

Amendment of Part 28

13. In Part 28 (sentencing procedures in special cases and on committal for sentence, etc.), in rule 28.3 (notification requirements), in the note to the rule, in the first paragraph, after sub-paragraph (b) insert—

"*(c) Schedule 1A to the Serious Crime Act 2007*(**a**) *(notification after being made subject to a serious crime prevention order); and*

(d) section 9 of the Stalking Protection Act 2019(**b**) *(notification after being made subject to a stalking protection order).*".

Amendment of Part 31

14. In Part 31 (behaviour orders)—

(a) in rule 31.1 (when this Part applies), in the first paragraph of the note to the rule—

(i) in sub-paragraph (a)—

(aa) renumber paragraphs (xi) to (xiv) as paragraphs (xiii) to (xvi) respectively;

(bb) renumber paragraph (x) as (xi);

(cc) after paragraph (ix) insert—

"*(x) section 358A of the 2020 Act*(**c**) *(child criminal exploitation prevention order),* ";

(dd) after paragraph (xi) insert—

"*(xii) section 364B of the 2020 Act*(**d**) *(stalking protection order),*";

(ii) in sub-paragraph (b)—

(aa) renumber paragraphs (iii) and (iv) as paragraphs (iv) and (vi) respectively;

(bb) after paragraph (ii) insert—

"*(iii) section 19A of the Serious Crime Act 2007*(**e**) *(serious crime prevention order on acquittal or where the Crown Court allows an appeal against conviction),*" ;

(cc) after paragraph (iv) insert—

"*(v) section 2A of the Stalking Protection Act 2019*(**f**) *(stalking protection order on acquittal, on finding of not guilty by reason of insanity or on finding of disability, or where a court allows an appeal against conviction),*";

(dd) after paragraph (vi) insert—

"*(vii) section 50 of the Crime and Policing Act 2026*(**g**) *(child criminal exploitation prevention order on acquittal, on finding of not guilty by reason of insanity or on finding of disability, or where the Crown Court allows an appeal against conviction).*";

(iii) omit sub-paragraphs (c), (d) and (e);

(b) in rule 31.3 (application for behaviour order and notice of terms of proposed order: special rules)—

(i) in paragraph (1)(a)—

(**a**) 2007 c. 27; Schedule 1A was inserted by section 58 of the Border Security, Asylum and Immigration Act 2025 (c. 31).
(**b**) 2019 c. 20; section 9 is amended by section 129 of the Crime and Policing Act 2026 (c. 20) with effect from a day to be appointed.
(**c**) Section 358A of the Sentencing Act 2020 (c. 17) is inserted by Schedule 6 to the Crime and Policing Act 2026 with effect from a day to be appointed.
(**d**) Section 364B is inserted by section 129 of the Crime and Policing Act 2026 with effect from a day to be appointed.
(**e**) Section 19A is inserted by section 59 of the Border Security, Asylum and Immigration Act 2025 with effect from a day to be appointed.
(**f**) Section 2A is inserted by section 128 of the Crime and Policing Act 2026 with effect from a date to be appointed.
(**g**) Section 50 comes into force on a day to be appointed.

(aa) for "wants" substitute "applies to";

(bb) omit "if the defendant is convicted";

(ii) in paragraph (1)(c)—

(aa) omit the "or" after paragraph (iii);

(bb) after paragraph (iv) insert—

"(v) a stalking protection order, or

(vi) a child criminal exploitation prevention order.";

(c) in rule 31.4 (evidence to assist the court: special rules)—

(i) in paragraph (2)—

(aa) omit the "or" after sub-paragraph (b);

(bb) insert "; or" after sub-paragraph (c);

(cc) after sub-paragraph (c) insert—

"(d) a child criminal exploitation prevention order.";

(ii) in the note to the rule, in the second paragraph, in sub-paragraph (b)—

(aa) omit the "or" after paragraph (i);

(bb) insert ", or" after paragraph (ii);

(cc) after paragraph (ii) insert—

"*(iii) a child criminal exploitation prevention order, under section 358I of the 2020 Act*(**a**) *or under section 61 of the Crime and Policing Act 2026*(**b**).";

(d) in rule 31.5 (application to vary, renew, discharge or revoke behaviour order), after "a restraining order", in each place it occurs, insert ", a stalking protection order";

(e) in rule 31.9 (notice to supervisor of requirement for supervision or monitoring), in the note to the rule—

(i) in the second paragraph, for the first sentence substitute—

"*Under section 347A of the Sentencing Act 2020*(**c**) *a sexual harm prevention order which imposes a requirement, other than an electronic monitoring requirement, on the defendant must specify the person or organisation responsible for supervising compliance with that requirement.*";

(ii) in the third paragraph, for the first sentence substitute—

"*Under section 5B of the Serious Crime Act 2007*(**d**)*, section 348A of the Sentencing Act 2020*(**e**) *and section 37 of the Domestic Abuse Act 2021*(**f**)*, a serious crime prevention order, a sexual harm prevention order or a domestic abuse protection order, respectively, which imposes an electronic monitoring requirement on the defendant must specify the person responsible for that monitoring.*".

Amendment of Part 41

15. In Part 41 (reference to the Court of Appeal of point of law or unduly lenient sentencing), in rule 41.2 (service of notice of reference and application for permission)—

(a) for paragraph (4) substitute—

(**a**) Section 358I of the Sentencing Act 2020 is inserted by Schedule 6 to the Crime and Policing Act 2026 with effect from a day to be appointed.

(**b**) Section 61 comes into force on a day to be appointed.

(**c**) Section 347A was inserted by section 175 of the Police, Crime, Sentencing and Courts Act 2022 (c. 32).

(**d**) Section 5B was inserted by section 55 of the Border Security, Asylum and Immigration Act 2025 (c. 31).

(**e**) Section 348A is inserted by section 178 of the Police, Crime, Sentencing and Courts Act 2022 with effect from a day to be appointed.

(**f**) 2021 c. 17; section 37 is in force in relation to specified areas, for remaining purposes it has effect from a day to be appointed.

"(4) The Attorney General must serve an application for permission to refer a sentencing case on the Registrar not more than the later of—

(a) 28 days from the day on which the sentence, or the last of the sentences, in the case was passed; or

(b) 14 days from the day on which the Attorney General receives a request to review the sentencing of a defendant, where the request is received in the last 14 days of the 28-day period mentioned in sub-paragraph (a).";

(b) in the note to the rule, after "It may be neither extended nor shortened" insert "by the court".

Amendment of Part 45

16. In Part 45 (costs), in rule 45.4 (costs out of central funds)—

(a) in paragraph (5)—

(i) omit the "and" after sub-paragraph (c);

(ii) renumber sub-paragraph (d) as sub-paragraph (f);

(iii) after sub-paragraph (c) insert—

"(d) details, including the date and outcome, of each request to any public authority to undertake the investigation and prosecution, and the reasons why if no such request was made;

(e) details, including the date and outcome, of each request to any legal representative to ascertain their estimated charges for conducting the prosecution, and if no such request was made to a legal representative other than the one appointed by the applicant—

(i) the reasons why, and

(ii) the reasons for the applicant's choice of that legal representative; and";

(b) in each of paragraphs (8)(b) and (9) for "regulations made by the Lord Chancellor" substitute "the regulations to which paragraph (7)(d) refers".

Amendment of Part 47

17. In Part 47 (investigation orders and warrants)—

(a) in rule 47.1 (when this Part applies), for "and 47.63" substitute ", 47.63 and 47.69";

(b) after Section 10: Orders for access to electronic data under the Crime (Overseas Production Orders) Act 2019 insert—

"SECTION 11: ORDERS FOR THE SUSPENSION OF INTERNET PROTOCOL ADDRESSES AND INTERNET DOMAIN NAMES UNDER THE CRIME AND POLICING ACT 2026

When this Section applies

47.69.—(1) This Section applies where, under Schedule 18 to the Crime and Policing Act 2026(**a**), the Crown Court can make—

(a) an IP address suspension order; or

(b) a domain name suspension order.

(2) In this Section, 'suspension order' means either of those two orders.

[Note. Under paragraphs 1 and 2 of Schedule 18 to the Crime and Policing Act 2026, on an application by an appropriate officer (defined by paragraph 14 of that Schedule) a Crown

(**a**) 2026 c. 20; Schedule 18 comes into force on a day to be appointed.

Court judge may order an internet protocol address provider to prevent access to a specified internet protocol address for a specified period of no longer than 12 months, if the judge is satisfied that there are reasonable grounds to believe that the four conditions prescribed by paragraph 2 of that Schedule are met.

Under paragraphs 3 and 4 of Schedule 18 to the 2026 Act, on an application by an appropriate officer a Crown Court judge may order an internet domain registry or a registrar for an internet domain registry to prevent access to a specified internet domain name for a specified period of no longer than 12 months, if the judge is satisfied that there are reasonable grounds to believe that the four conditions prescribed by paragraph 4 of that Schedule are met.]

Exercise of court's powers

47.70.—(1) Subject to paragraphs (2) and (3), the court may determine an application under rule 47.71 for a suspension order, or an application under rule 47.72 to discharge, vary or extend—

(a) at a hearing (which must be in private unless the court otherwise directs), or without a hearing; and

(b) in the absence of—

(i) the applicant,

(ii) the respondent, and

(iii) any other person affected by the order.

(2) The court must not determine such an application in the applicant's absence if—

(a) the applicant asks for a hearing; or

(b) it appears to the court that the application is so complex or serious as to require the court to hear the applicant.

(3) The court must not determine such an application in the absence of any respondent or other person affected unless—

(a) the absentee has had at least 2 business days in which to make representations; or

(b) the court is satisfied that—

(i) the absentee has waived the opportunity to attend, or

(ii) it would prejudice the purposes of the application to allow the absentee to attend or to adjourn or postpone the application to allow that.

(4) The court officer must arrange for the court to hear such an application no sooner than 2 business days after notice of the application was served, unless—

(a) the court directs that no hearing need be arranged; or

(b) the court gives other directions for the hearing.

(5) The court must not determine an application unless satisfied that sufficient time has been allowed for it.

(6) If the court so directs, the parties to an application may attend a hearing by live link.

(7) The court must not make, discharge or vary an order, or extend a suspension, unless the applicant states, in writing or orally, that to the best of the applicant's knowledge and belief—

(a) the application discloses all the information that is material to what the court must decide; and

(b) the content of the application is true.

(8) Where the statement required by paragraph (7) is made orally—

(a) the statement must be on oath or affirmation, unless the court otherwise directs; and

(b) the court must arrange for a record of the making of the statement.

(9) The court may—

(a) shorten or extend (even after it has expired) a time limit under this Section;

(b) dispense with a requirement for service under this Section (even after service was required); and

(c) consider an application made orally instead of in writing.

(10) A person who wants an extension of time must—

(a) apply when serving the application for which it is needed; and

(b) explain the delay.

Application for suspension order

47.71.—(1) An applicant who wants the court to make a suspension order must—

(a) apply in writing and serve the application on the court officer;

(b) demonstrate that the applicant is entitled to apply;

(c) give the court an estimate of how long the court should allow—

(i) to read the application and prepare for any hearing, and

(ii) for any hearing of the application;

(d) attach a draft order in the terms proposed by the applicant;

(e) serve notice of the application on the respondent and on any other person affected by the order, unless the court otherwise permits or directs, in accordance with—

(i) Part 4 of these Rules (Service of documents), or

(ii) paragraph 11(3) of Schedule 18 to the Crime and Policing Act 2026 (additional methods of service on a person outside the United Kingdom); and

(f) serve the application on the respondent and on any such other person to such extent, if any, as the court directs.

(2) A notice served on the respondent and on any other person affected by the order must—

(a) specify the internet protocol address or internet domain name to which the applicant wants access to be prevented;

(b) specify the period (to a maximum of 12 months) for which the applicant wants access to be prevented;

(c) identify—

(i) the power that the applicant invites the court to exercise, and

(ii) the conditions for the exercise of that power which the applicant asks the court to find are met; and

(d) warn the recipient of the notice that they must not disclose the making of the application or its content to any person except—

(i) with the permission of a judge, or

(ii) with the written permission of the applicant or an equivalent officer.

(3) The application must—

(a) identify the respondent;

(b) include the same information as is required by paragraph (2); and

(c) where the applicant wants the court to include in a suspension order a non-disclosure requirement to the same effect as described in paragraph (2)(d)—

(i) explain why such a requirement would be appropriate, and

(ii) specify or describe when the applicant wants that requirement, if ordered, to expire.

(4) Where the court makes a suspension order—

(a) the court officer must serve the order on the applicant; and

(b) the applicant must serve the order on the respondent and on any other person affected by the order, in accordance with—

(i) Part 4 of these Rules (Service of documents), or

(ii) paragraph 11(3) of Schedule 18 to the Crime and Policing Act 2026 (additional methods of service on a person outside the United Kingdom).

(5) Where notice of the application was served on a respondent, if the application is dismissed, withdrawn or abandoned the applicant must—

(a) promptly so notify that respondent; and

(b) where the application is dismissed, promptly inform that respondent if the court orders that the non-disclosure requirement described in paragraph (2)(d) is to continue to apply.

[Note. See paragraphs 5, 6, 10 and 11 of Schedule 18 to the Crime and Policing Act 2026.]

Application to discharge, vary or extend

47.72.—(1) This rule applies to an application under—

(a) paragraph 7 of Schedule 18 to the Crime and Policing Act 2026 (Discharge and variation of suspension orders);

(b) paragraph 8 of that Schedule (Extension of suspension orders); or

(c) paragraph 9 of that Schedule (Discharge and variation of non-disclosure orders).

(2) The applicant must—

(a) apply in writing as soon as practicable after becoming aware of the grounds for doing so;

(b) serve the application on—

(i) the court officer, and

(ii) as applicable, the applicant for the suspension order, the respondent to that application, and any other person known to be affected;

(c) attach a draft order in the terms proposed by the applicant; and

(d) ask for a hearing, if one is wanted, and explain why it is needed.

(3) The application must—

(a) specify the order that the applicant wants the court to discharge, vary or extend;

(b) explain the grounds; and

(c) specify the terms of any proposed variation or extension.

(4) Where the court makes an order on an application to which this rule applies—

(a) the court officer must serve the order on the applicant for the suspension order under rule 47.71; and

(b) that applicant must serve the order on the respondent to that application and on any other person affected by the order, in accordance with—

(i) Part 4 of these Rules (Service of documents), or

(ii) paragraph 11(3) of Schedule 18 to the Crime and Policing Act 2026 (additional methods of service on a person outside the United Kingdom).

[Note. See also paragraphs 10 and 11 of Schedule 18 to the Crime and Policing Act 2026.]

Application containing information withheld from a respondent or other person

47.73.—(1) This rule applies where an application under rule 47.71 or 47.72 includes information that the applicant thinks ought to be revealed only to the court.

(2) The application must—

(a) identify that information; and

(b) explain why that information ought not to be served on the respondent or another person.

(3) At a hearing of an application to which this rule applies—

(a) the general rule is that the court must consider, in the following sequence—

(i) representations first by the applicant and then by the respondent and any other person, in the presence of them all, and then

(ii) further representations by the applicant, in the others' absence; but

(b) the court may direct other arrangements for the hearing.

Application to punish for contempt of court

47.74.—(1) This rule applies where a person is accused of disobeying an order made by the court under Schedule 18 to the Crime and Policing Act 2026.

(2) An applicant who wants the court to exercise its power to punish that person for contempt of court must comply with the rules in Part 48 (Contempt of court).

[Note. The Crown Court has power to punish for contempt of court a person who disobeys its order: see section 45 of the Senior Courts Act 1981(**a**)*. Under paragraph 13 of Schedule 18 to the Crime and Policing Act 2026, an order made by a judge under that Schedule has effect as if it were an order of the Crown Court.]*";

(c) amend the table of contents correspondingly.

Amendment of Part 48

18. In Part 48 (contempt of court)—

(a) in rule 48.5 (initial procedure on obstruction, disruption, etc.)—

(i) paragraph (1)(b)—

(aa) omit the "or" after paragraph (i);

(bb) insert ", or" after paragraph (ii);

(cc) after paragraph (ii) insert—

"(iii) section 41A of the Sentencing Act 2020 (order to attend sentencing hearing);" ;

(ii) in the note to the rule, after the second paragraph insert—

"*Under section 41A of the Sentencing Act 2020, the Crown Court may order a defendant to attend a sentencing hearing where—*

(a) the defendant has been convicted of an offence;

(b) the defendant is to be detained in custody while awaiting sentencing by the Crown Court; and

(c) the defendant has refused, or there are reasonable grounds to suspect that the defendant will refuse, to attend court for the sentencing hearing.

(**a**) 1981 c. 54. The Act's title was amended by section 59(5) of, and paragraph 1 of Schedule 11 to, the Constitutional Reform Act 2005 (c. 4).

A defendant who fails without reasonable excuse to comply with such an order commits a contempt of court.

Under section 41B of the Sentencing Act 2020, where the defendant is aged 18 or over (subject to some exceptions for those aged 18, 19 or 20) and commits a contempt of court (i) by failing to comply with an order to attend court for a sentencing hearing, or (ii) by interrupting the sentencing hearing or otherwise misbehaving and being removed because of their conduct, in dealing with that contempt the court may make a prison sanctions order instead of or in addition to exercising any other power.";

(b) in rule 48.9 (Initial procedure on failure to comply with court order, etc.), in paragraph (1)(a)(i) for "or rule 47.58 (order for access under section 18A of the Criminal Appeal Act 1995(**a**))" substitute ", rule 47.58 (order for access to documents, etc. under section 18A of the Criminal Appeal Act 1995), rule 47.68 (order for access to electronic data under the Crime (Overseas Production Orders) Act 2019(**b**)) or rule 47.74 (suspension and non-disclosure orders under Schedule 18 to the Crime and Policing Act 2026(**c**))".

Carr of Walton-on-the-Hill, C.J.
Edis, L.J.
Foster, J.
Griffiths, J.
Patrick Field
Gareth Branston
Michael Oliver
David Barrand
Amy McEvoy
Stephen Parkinson
Jacob Hallam
Paul Jarvis
Edmund Smyth
Bartholomew Dalton
Tim De Meyer
Rebecca White

I allow these Rules, which come into force in accordance with rule 2.

David Lammy
29th June 2026 Lord Chancellor
Ministry of Justice

(**a**) 1995 c. 35; section 18A was inserted by section 1 of the Criminal Cases Review Commission (Information) Act 2016 (c. 17).
(**b**) 2019 c. 5.
(**c**) 2026 c. 20.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Criminal Procedure Rules 2025 (S.I. 2025/909) as follows—

Part	*Amendment*
Part 2	Rule 2.4, rule 2.8 and the note to that rule are amended the more clearly to describe judicial powers that may be exercised by a justices' legal adviser when a defendant is charged at a police station and first brought to court.
Part 3	Rule 3.8 and the note to the rule are amended the more clearly to distinguish between witness companions whose roles are specified in the Victim Support (Specified Roles) Regulations 2025 (S.I. 2025/455) and other witness companions.
Part 5	Rule 5.4 is amended to require a record to be made of any announcement by a court that an offence involved domestic abuse.
Part 6	The note to rule 6.1 is amended to refer to the court's statutory powers to protect the identity of an authorised firearms officer charged with a qualifying offence within the meaning of the Crime and Policing Act 2026 (c. 20).
Part 7	Rule 7.2 and the note to the rule are amended the more clearly to describe the circumstances in which a magistrates' court must refuse to issue a summons.
Part 13	Rule 13.5 is amended to clarify the duties of a court officer and of the court where an arrest warrant is outstanding against a defendant who is present before the court.
Part 18	Rule 18.8 is amended to specify the directions that a court may give to control public access to, and the reporting of, a video recorded cross-examination or re-examination of a witness under section 28 of the Youth Justice and Criminal Evidence Act 1999 (c. 23).
Part 24	Rule 24.11 and the note to the rule are amended to refer to (a) a magistrates' court's duty under section 56A of the Sentencing Act 2020 (c. 17) to announce any view reached that an offence involved domestic abuse, and (b) the period of deferment of sentence under section 5 of that Act.
Part 25	Rule 25.16 and the note to the rule are amended to refer to (a) the Crown Court's (i) power to require a defendant to attend a sentencing hearing under section 41A of the Sentencing Act 2020, (ii) duty to prohibit a defendant from exercising parental rights and responsibilities under section 10A of the Children Act 1989 (c. 41) and (iii) duty under section 56A of the Sentencing Act 2020 to announce any view reached that an offence involved domestic abuse; and (b) the period of deferment of sentence under section 5 of the 2020 Act.
Part 28	The note to rule 28.3 is amended to refer to statutory notification requirements imposed under Schedule 1A to the Serious Crime Act 2007 (c. 27) on the making of a serious crime prevention order, and under section 9 of the Stalking Protection Act 2019 (c. 20) on the making of a stalking protection order.
Part 31	The note to rule 31.1, rule 31.3, rule 31.4, rule 31.5 and the note to rule 31.9 all are amended to reference and to accommodate statutory provisions that (a) confer powers to make child criminal exploitation prevention orders (under section 358A of the Sentencing Act 2020 and section 50 of the Crime and Policing Act 2026); (b) amend the powers of courts to make serious crime prevention orders (under section 19A of the Serious Crime Act 2007 (c. 27)) and stalking protection orders (under section 364B of the 2020 Act and section 2A of the Stalking Protection

	Act 2019); and (c) amend the powers of courts to impose electronic monitoring requirements (under section 5B of the Serious Crime Act 2007, section 348A of the 2020 Act and section 37 of the Domestic Abuse Act 2021 (c. 17)).
Part 41	Rule 41.2 is amended to reflect the amendment made by section 13 of the Victims and Courts Act 2026 (c. 19) to the period within which the Attorney General must apply to the Court of Appeal for permission to refer a sentencing case.
Part 45	Rule 45.4 is amended to codify case law on the information that must be supplied by a private prosecutor who applies for costs to be paid out of central funds.
Part 47	Rules 47.69 to 47.74 are added to provide for the exercise by the Crown Court of powers conferred under Schedule 18 to the Crime and Policing Act 2026 (c. 20) to make orders for the suspension of internet protocol addresses and internet domain names.
Part 48	Rule 48.5 and the note to the rule, and rule 48.9, are amended to include references to new statutory powers to punish contempt of court.

These Rules (other than the rules mentioned in rule 2(a) to (d)) come into force on 5th October 2026. The rules mentioned in rule 2(a) to (d) come into force at the same times as the provisions of primary legislation to which they relate.

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