# SCHEDULE

Rule 7

(Form 1)	Rule 7	SCHEDULE	
		FORMS	
Case Number	Application for dismissal of tr paragraph 5	ansferred charge(s) Criminal Justice Act 1991 under Schedule 6	
	This form may be used to give notice of intention to apply orally, or to apply in writing, for dismissal of transferred charge(s), for application to call witnesses or for an extension of time within which to apply. Applications for dismissal must be received by the Court named in the notice of transfer, within 14 days of the date on that notice.		
		statements or documentary evidence on which the applicant relies e on the Director of Public Prosecutions and on any other person to lates.	
Enter the name of the Court shown on the Notice of Transfer, the case no., and the date of the Notice.	Case Details The Crown Court at	Crown Court Case Number	
	Date of notice of transfer		
State the name and address of the applicant to whom this application relates. (If in custody give address where dotained)	Applicant Surname Forenames Address		
detained.)	Date of birth		
	Application		
Tick box as appropriate	<ul> <li>Notice of intention to apply <i>orally</i> for dismissal Sch 6 para 5(3) CJA 1991</li> <li>Application to call witnesses in support of application for dismissal Sch 6 para 5(4) CJA 1991</li> <li>Application for extension of time within which to give notice of intention to make an oral application</li> <li>Written application for dismissal</li> <li>Application for extension of time within which to make a written application</li> </ul>		
	If applying for an extension on	ly you will need to submit a complete form in due course.	
Specify all charges and indicate those to which this application applies.	Charges		
(If applying only for an extension, you do not need to complete this section)			

Form 1 Application for dismissal of transferred charge(s) or for extension of time.

(Form 1 page 2)

### Grounds for applying

(a) Application for dismissal:

The evidence which has been disclosed would not be sufficient for a jury properly to convict.

(b) Application for extension of time:

If applying for an extension, state the grounds

Witnesses\* and material on which you rely (copies of all documents including video recordings must be attached).

For oral applications, indicate which witnesses you propose to call, if leave is given. State the date of birth of each witness (or that he is 18 or over). In relation to each witness under 18, you must also provide the additional information requested (Sch. 6 para. 5(5)).

Witnesses under 18

Name:

Date of birth:

Date of any video recording of the witness as is mentioned in section 32A(2) of the Criminal Justice Act 1988:

Is the witness the alleged victim or an alleged witness of the commission of the offence(s) charged? YES/NO (delete inapplicable)

I confirm that none of the proposed witnesses is a child to whom Schedule 6 paragraph 5(5) applies.

\*continue overleaf if necessary

Signature of applicant Details of any person signing on behalf of applicant

Name

Solicitor/Counsel Address

Date \_\_\_\_\_

Reference

#### (Form 2)

### Application by prosecution for oral hearing of defence application for dismissal

This form may be used by the prosecution to apply for:

- an oral hearing of a defence application for dismissal;
- leave to call witnesses; or
- an extension of time within which to apply for (a) an oral hearing or (b) to submit documents.

An application by the prosecution for an oral hearing, or for an extension of time within which to apply for an oral hearing, must be made within 7 days of receipt of notice of the defence application for dismissal. Written comments or material must be submitted to the appropriate officer of the court within 14 days of the date of receipt of the defence application. A copy of this form must be given to the applicant for dismissal and to any other person to whom the application to dismiss relates.

Case Details		Enter the name
	Crown Court	of the Court shown on the
The Crown Court at	Case Number:	notice of transfer, the
Date of receipt of copy of defence		case no. and the date of receipt of the
application:		defence application
Defendant(s)*		State the
Surname Forename(s)		name(s) and
Address		address(es) of the
		defendant(s) to
		whom this
		application
	Date of birth:	relates. If in custody, give
	Duce of on all	address where detained
Application		
Director of Public Prosecutions	State the	
		name, address
		and reference
□ Application for oral hearing		Tick as
□ Application for leave to call withe	appropriate	
Application for extension of time	within which to apply for oral hearing	
□ Application for extension of time	within which to submit documents	
Charges*		
		Specify all

charges and indicate those to which the application for dismissal applies and those on which the prosecution intend to respond

## (Form 2 page 2)

State the grounds on which the application is being made

Grounds for applying

Indicate which witnesses you propose to call, if leave is given	Witnesses* for the prosecution
State the date of birth of each witness	Witnesses under 18
(or that he is 18 or over). In	Name:
relation to each witness under 18, you	Date of birth:
must also provide the additional	Date of any video recording of the witness as is mentioned in section 32A(2) of the Criminal Justice Act 1988:
information requested (Sch. 6 para, 5(5))	Is the witness the alleged victim or an alleged witness of the commission of the offence(s) charged: YES/NO (delete inapplicable)
	I confirm that none of the proposed witnesses is a child to whom Schedule 6 paragraph 5(5) applies.
	Witnesses for defence
Indicate any grounds on which it appears that a	

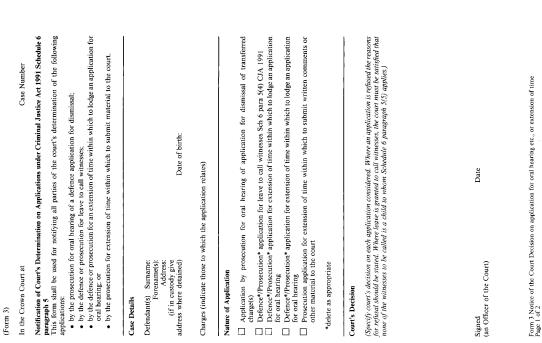
which it appears that a proposed witness for the defence is a child to whom Sch. 6 para. 5(5) applies

Signature

Date

\*continue overleaf if necessary

Form 2 Application by Prosecution for oral hearing or for extention of time



(Form 4)

In the Crown Court at

Case Number

Notification of the Court's determination of a written application for dismissal of transferred charge(s) under Criminal Justice Act 1991 Schedule 6 paragraph 5

**Case Details** 

Defendant(s) Surname: Forename(s): Address: (if in custody give address where detained)

Date of birth:

Charges (Those on which dismissal was sought to be separately identified)\*

**Court's Decision** (Specify court's decision. Where an application is refused the reasons for refusal should be stated. Include details of any bail variations, and counts substituted, added or quashed.)

Signed (an Officer of the Court) \*continue overleaf if necessary Date

Form 4 Notification of judge's determination of application for dismissal