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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Crown Court Rules 1982 (“the 1982 Rules”) to provide for the practice and procedure to be followed in the Crown Court in England and Wales in connection with proceedings under Part 1 of the Crime (International Co-operation) Act 2003 (“the 2003 Act”).

The rules in the Schedule to these Rules replace, subject to the savings in rule 1(3), rules 30 to 32 of the 1982 Rules, as inserted by the Crown Court (Amendment) Rules 1991. The rules which have been replaced concern provisions in the Criminal Justice (International Co-operation) Act 1990 that have been replaced by sections 3, 4, 7 and 15 of the 2003 Act.

Rule 3 of these Rules makes an unconnected change to Part III of Schedule 3 to the 1982 Rules. That Part lists those appeals to the Crown Court in which the notice of appeal must state the grounds of the appeal. Section 16 of the Criminal Justice Act 2003 which is added to that list confers a right of appeal against conditions in bail.

References below to numbered rules are to rules of that number as substituted by the Schedule to these Rules.

Section 3(4) of the 2003 Act requires that process served outside the United Kingdom requiring a person to appear as a party or attend as a witness must be accompanied by a notice giving certain information. Rule 30 specifies what that information is to be.

Rule 31 provides for the proof of service where this is done, in pursuance of section 4 of the 2003 Act, in accordance with arrangements made by the Secretary of State.

Rule 32 requires a copy of a request which is sent directly abroad to be sent to the Secretary of State.

Section 15(1) of the 2003 Act enables the Secretary of State to nominate a court to receive evidence in respect of a request for assistance from overseas falling within section 13 of that Act. The proceedings before a nominated court take place under Schedule 1 to that Act and rules 32A and 32B provide for procedural matters in connection with those proceedings and the contents of a record of them.

Sections 30 and 31 of the 2003 Act concern the giving of evidence before a nominated court in the United Kingdom to a court abroad by a television link or by telephone, respectively. Rule 32C provides for the use of interpreters for these hearings and rules 32D and 32E provide for the contents of the record of them.

Rule 32F restricts access to the records kept under rules 32B, 32D and 32E.