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STATUTORY INSTRUMENTS

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**2014 No. 1610**

**The Criminal Procedure Rules 2014**

**PART 3**

**CASE MANAGEMENT**

*PREPARATION FOR TRIAL IN THE CROWN COURT*

**Application to stay case for abuse of process**

**3.20.**—(1) This rule applies where a defendant wants the Crown Court to stay the case on the grounds that the proceedings are an abuse of the court, or otherwise unfair.

(2) Such a defendant must—

(a) apply in writing—

- (i) as soon as practicable after becoming aware of the grounds for doing so,
- (ii) at a pre-trial hearing, unless the grounds for the application do not arise until trial, and
- (iii) in any event, before the defendant pleads guilty or the jury (if there is one) retires to consider its verdict at trial;

(b) serve the application on—

- (i) the court officer, and
- (ii) each other party; and

(c) in the application—

- (i) explain the grounds on which it is made,
- (ii) include, attach or identify all supporting material,
- (iii) specify relevant events, dates and propositions of law, and
- (iv) identify any witness the applicant wants to call to give evidence in person.

(3) A party who wants to make representations in response to the application must serve the representations on—

- (a) the court officer; and
- (b) each other party,

not more than 14 days after service of the application.