
STATUTORY INSTRUMENTS

2014 No. 1610

The Criminal Procedure Rules 2014

PART 37

TRIAL AND SENTENCE IN A MAGISTRATES' COURT

Application to withdraw a guilty plea

- 37.9.**—(1) This rule applies where the defendant wants to withdraw a guilty plea.
- (2) The defendant must apply to do so—
- (a) as soon as practicable after becoming aware of the reasons for doing so; and
 - (b) before sentence.
- (3) Unless the court otherwise directs, the application must be in writing and the defendant must serve it on—
- (a) the court officer; and
 - (b) the prosecutor.
- (4) The application must—
- (a) explain why it would be unjust not to allow the defendant to withdraw the guilty plea;
 - (b) identify—
 - (i) any witness that the defendant wants to call, and
 - (ii) any other proposed evidence; and
 - (c) say whether the defendant waives legal professional privilege, giving any relevant name and date.