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STATUTORY INSTRUMENTS

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**2015 No. 1490**

**The Criminal Procedure Rules 2015**

**PART 24**

**TRIAL AND SENTENCE IN A MAGISTRATES' COURT**

**Application to withdraw a guilty plea**

- 24.10.**—(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.