
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 3

CASE MANAGEMENT

PREPARATION FOR TRIAL IN THE CROWN COURT

Application for indication of sentence

3.31.—(1) This rule applies where a defendant wants the Crown Court to give an indication of the maximum sentence that would be passed if a guilty plea were entered when the indication is sought.

- (2) Such a defendant must—
 - (a) apply in writing as soon as practicable; and
 - (b) serve the application on—
 - (i) the court officer, and
 - (ii) the prosecutor.
- (3) The application must—
 - (a) specify—
 - (i) the offence or offences to which it would be a guilty plea, and
 - (ii) the facts on the basis of which that plea would be entered; and
 - (b) include the prosecutor’s agreement to, or representations on, that proposed basis of plea.
- (4) The prosecutor must—
 - (a) provide information relevant to sentence, including—
 - (i) any previous conviction of the defendant, and the circumstances where relevant, and
 - (ii) any statement of the effect of the offence on the victim, the victim’s family or others;
and
 - (b) identify any other matter relevant to sentence, including—
 - (i) the legislation applicable,
 - (ii) any sentencing guidelines, or guideline cases, and
 - (iii) aggravating and mitigating factors.
- (5) The hearing of the application—
 - (a) may take place in the absence of any other defendant; and
 - (b) must be attended by—
 - (i) the applicant defendant’s legal representatives (if any), and
 - (ii) the prosecution advocate.

Changes to legislation: There are currently no known outstanding effects for the
The Criminal Procedure Rules 2020, Section 3.31. (See end of Document for details)

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Commencement Information

II Rule 3.31 in force at 5.10.2020, see Preamble

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Procedure Rules 2020, Section 3.31.