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STATUTORY INSTRUMENTS

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**2020 No. 759**

**The Criminal Procedure Rules 2020**

**PART 40**

**APPEAL TO THE COURT OF APPEAL ABOUT  
REPORTING OR PUBLIC ACCESS RESTRICTION**

**Respondent's notice on appeal against reporting restriction**

**40.6.**—(1) This rule applies where the appellant wants to appeal against an order restricting the reporting of a trial.

(2) A person on whom an appellant serves an appeal notice may serve a respondent's notice, and must do so if—

- (a) that person wants to make representations to the court; or
- (b) the court so directs.

(3) Such a person must serve the respondent's notice on—

- (a) the appellant;
- (b) the Crown Court officer;
- (c) the Registrar;
- (d) the parties; and
- (e) any other person on whom the appellant served the appeal notice.

(4) Such a person must serve the respondent's notice not more than 3 business days after—

- (a) the appellant serves the appeal notice; or
- (b) a direction to do so.

(5) The respondent's notice must be in the form set out in the Practice Direction.

(6) The respondent's notice must—

- (a) give the date on which the respondent was served with the appeal notice;
- (b) identify each ground of opposition on which the respondent relies, numbering them consecutively (if there is more than one), concisely outlining each argument in support and identifying the ground of appeal to which each relates;
- (c) summarise any relevant facts not already summarised in the appeal notice;
- (d) identify any relevant authorities;
- (e) include or attach any application for the following, with reasons—
  - (i) an extension of time within which to serve the respondent's notice,
  - (ii) a direction to attend in person any hearing that the respondent could attend by live link, if the respondent is in custody,
  - (iii) permission to introduce evidence; and

- (f) identify any other document or thing that the respondent thinks the court will need to decide the appeal.