
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 6

REPORTING, ETC. RESTRICTIONS

REPORTING AND ACCESS RESTRICTIONS

Reporting and access restrictions

- 6.4.**—(1) This rule applies where the court can—
- (a) impose a restriction on—
 - (i) reporting what takes place at a public hearing, or
 - (ii) public access to what otherwise would be a public hearing; or
 - (b) withhold information from the public during a public hearing.
- (2) Unless other legislation otherwise provides, the court may do so—
- (a) on application by a party; or
 - (b) on its own initiative.
- (3) A party who wants the court to do so must—
- (a) apply as soon as reasonably practicable;
 - (b) notify—
 - (i) each other party, and
 - (ii) such other person (if any) as the court directs;
 - (c) specify the proposed terms of the order, and for how long it should last;
 - (d) explain—
 - (i) what power the court has to make the order, and
 - (ii) why an order in the terms proposed is necessary;
 - (e) where the application is for a reporting direction under section 45A of the Youth Justice and Criminal Evidence Act 1999⁽¹⁾ (Power to restrict reporting of criminal proceedings for lifetime of witnesses and victims under 18), explain—
 - (i) how the circumstances of the person whose identity is concerned meet the conditions prescribed by that section, having regard to the factors which that section lists; and
 - (ii) why such a reporting direction would be likely to improve the quality of any evidence given by that person, or the level of co-operation given by that person to any party in connection with the preparation of that party's case, taking into account the factors listed in that section; and

⁽¹⁾ 1999 c. 23; section 45A was inserted by section 78 of the Criminal Justice and Courts Act 2015 (c. 2).

- (f) where the application is for a reporting direction under section 46 of the Youth Justice and Criminal Evidence Act 1999(2) (Power to restrict reports about certain adult witnesses in criminal proceedings), explain—
- (i) how the witness is eligible for assistance, having regard to the factors listed in that section, and
 - (ii) why such a reporting direction would be likely to improve the quality of the witness' evidence, or the level of co-operation given by the witness to the applicant in connection with the preparation of the applicant's case, taking into account the factors which that section lists.

[Note. Under section 45A(10) or section 46(9) of the Youth Justice and Criminal Evidence Act 1999, if the conditions prescribed by those sections are met the court may make an excepting direction dispensing, to any extent specified, with the restrictions imposed by a reporting direction made under those sections.]