
STATUTORY INSTRUMENTS

2022 No. 45

The Criminal Procedure (Amendment) Rules 2022

Amendments to the Criminal Procedure Rules

5. In Part 7 (Starting a prosecution in a magistrates' court), in rule 7.4 (Summons, warrant and requisition)—

(a) for paragraph (8) substitute—

“(8) Where a summons or requisition is served on a defendant under 18—

(a) the prosecutor or court officer who serves it must serve a copy on a parent or guardian of the defendant as well, and

(b) if the court requires the parent or guardian to attend, the copy may impose that requirement or a separate summons or requisition may be issued for that purpose.”; and

(b) for the third paragraph of the note to the rule substitute—

“Under section 34A of the Children and Young Persons Act 1933(1), unless the court is satisfied that it would be unreasonable to require such attendance having regard to the circumstances of the case (i) the court may require the parent or guardian of a defendant under 18 to attend court with the defendant, and (ii) the court must do so if the defendant is under 16.”

(1) 1933 c. 12; section 34A was inserted by section 56 of the Criminal Justice Act 1991 (c. 53) and amended by section 107 of, and paragraph 1 of Schedule 5 to, the Local Government Act 2000 (c. 22) and regulations 3 and 5 of S.I. 2016/413.