



Neutral Citation Number: [2022] EWCA Crim 688

Royal Courts of Justice  
Strand, London, WC2A 2LL

Date: 25/05/2022

**Before:**

**THE RIGHT HONOURABLE THE LORD BURNETT OF MALDON**  
**THE LORD CHIEF JUSTICE OF ENGLAND WALES**

## **Criminal Practice Directions 2015**

### **Amendment No. 13**

#### **Introduction**

This is the thirteenth amendment to the Criminal Practice Directions 2015.<sup>1</sup>

In this amendment:

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<sup>1</sup> [2015] EWCA Crim 1567. Amendment Number 1 [2016] EWCA Crim 97 was issued by the Lord Chief Justice on 23<sup>rd</sup> March 2016 and came into force on the 4<sup>th</sup> April 2016. Amendment Number 2 [2016] EWCA Crim 1714 was issued by the Lord Chief Justice on 16<sup>th</sup> November 2016 and came into force on 16<sup>th</sup> November 2016. Amendment Number 3 [2017] EWCA Crim 30 was issued by the Lord Chief Justice on 31<sup>st</sup> January 2017 and came into force on 31<sup>st</sup> January 2017. Amendment Number 4 [2017] EWCA Crim 310 was issued by the Lord Chief Justice on 28<sup>th</sup> March 2017 and came into force on 3<sup>rd</sup> April 2017. Amendment Number 5 [2017] EWCA Crim 1076 was issued by the Lord Chief Justice on 27<sup>th</sup> July 2017 and came into force on 2<sup>nd</sup> October 2017. Amendment Number 6 [2018] EWCA Crim 516 was issued by the Lord Chief Justice on 21<sup>st</sup> March 2018 and came into force on 2<sup>nd</sup> April 2018. Amendment Number 7 [2018] EWCA Crim 1760 was issued by the Lord Chief Justice on 26<sup>th</sup> July 2018 and came into force on the 1<sup>st</sup> October 2018. Amendment Number 8 EWCA [2019] Crim 495 was issued by the Lord Chief Justice on 28<sup>th</sup> March 2019 and came into force on the 1<sup>st</sup> April 2019; Amendment Number 9 [2019] EWCA Crim 1603 was issued by the Lord Chief Justice on 10<sup>th</sup> October 2019 and comes into force on 14<sup>th</sup> October 2019; Amendment Number 10 EWCA [2020] Crim 604 was issued by the Lord Chief Justice on 12<sup>th</sup> May 2020 and came into force on the 13<sup>th</sup> May 2020; Amendment No 11 EWCA Crim 1347 was issued by the Lord Chief Justice on 29<sup>th</sup> October 2020 and came into force on Monday 16<sup>th</sup> November 2020; Amendment No 12 EWCA Crim 367 was issued by the Lord Chief Justice on 23<sup>rd</sup> March 2022 and came into force on Thursday 24<sup>th</sup> March 2022.

**1. In CPD XII General Application B MODES OF ADDRESS AND TITLES OF JUDGES AND MAGISTRATES**

- i) At paragraph B.2:
  - a) after “Subject to the paragraph above, Circuit Judges, qualifying judge advocates, Recorders and Deputy Circuit Judges,” insert “Deputy High Court Judges appointed under section 9(4) of the Senior Courts Act 1981 and District Judges (Magistrates’ Courts)”.
  - b) After “Recorders” replace the word “and” with “,”
  - c) After “should be addressed as ‘Your Honour’ when sitting in” delete the word “court” and insert “the Crown Court”.
  - d) After “District Judges (Magistrates’ Courts) should be addressed as “Sir [or Madam]” or “Judge” when sitting in” delete the word “court” and insert “the Magistrates’ Courts”
- ii) At paragraph B.3:
  - a) In subparagraph (d) replace the letter “GH” with IJ”
  - b) In subparagraph (e) replace the letter “J” with “K”
  - c) renumber subparagraph (d) as (e) and (e) as (f) respectively
  - d) After subparagraph (c) insert “(d) Deputy High Court Judges appointed under section 9(4) of the Senior Courts Act 1981, as ‘Mr[ or Mrs, Ms, or Miss] GH sitting as a Deputy High Court Judge””

**2. In CPD XIII Listing A: JUDICIAL RESPONSIBILITY AND KEY PRINCIPLES:**

At subparagraph A.5 (v):

- a) after “maintaining and reviewing annually a list of Recorders, qualifying judge advocates” replace “and” with “,”
- b) After “Deputy Circuit Judges” insert “and Deputy High Court Judges appointed under section 9(4) of the Senior Courts Act 1981”.

**3. In CPD XIII Listing C: REFERRAL OF CASES IN THE CROWN COURT TO THE RESIDENT JUDGE AND TO THE PRESIDING JUDGES:**

- i) at subparagraph C.1(b):
  - a) after “cases which must be referred to the Resident Judge before being assigned to a judge, Recorder” replace “or” with “,”
  - b) After “qualifying judge advocate” add in “, Deputy High Court Judges appointed under section 9(4) of the Senior Courts Act 1981, or District Judge (Magistrates’ Courts)”.
- ii) At paragraph C.2:
  - a) after “However, the Resident Judge must arrange with the listing officers a satisfactory means of ensuring that all cases listed at their court are listed before judges, Recorders” replace “or” with “,”
  - b) After “qualifying judge advocates” add in “, Deputy High Court Judges appointed under section 9(4) of the Senior Courts Act 1981, District Judges (Magistrates’ Courts)”

**4. In CPD XIII Listing E Allocation of business within the Crown Court:**

- i) At subparagraph E.1(ii) after “ a Circuit Judge” delete “, or Deputy High Court Judge,”
- ii) At subparagraph E.2 (ii) after “a Circuit Judge” delete “, or a Deputy High Court Judge”
- iii) At subparagraph E.3(ii) after “a Circuit Judge” delete “or a Deputy High Court Judge,”
- iv) At subparagraph E.4(ii):
  - a) after “a Circuit Judge, or Deputy High Court Judge” add in “appointed under section 9(4) of the Senior Courts Act 1981”
  - b) After “or a Recorder” insert “,”
  - c) After “or a qualifying judge advocate,” add in “or a District Judge (Magistrates’ Courts)”
  - d) after “Class 2A i) cases may not be tried by a Recorder” replace “or” with “,”
  - e) After the second time “qualifying judge advocate” appears, insert “, Deputy High Court Judge appointed under section 9(4) of the Senior Courts Act 1981, or District Judge (Magistrates’ Courts).”
- v) At subparagraph E.5(ii):
  - a) after “a Circuit Judge, or Deputy High Court Judge” insert “appointed under section 9(4) of the Senior Courts Act 1981”
  - b) After “or a Recorder” insert “,”
  - c) After “or a qualifying judge advocate” insert “, or a District Judge (Magistrates’ Courts)”
- vi) At subparagraph E.6 (ii):
  - a) after “a Circuit Judge, or Deputy High Court Judge” insert “appointed under section 9(4) of the Senior Courts Act 1981”
  - b) After “or a Recorder” insert “,”
  - c) After “or a qualifying judge advocate” insert “, or a District Judge (Magistrates’ Courts)”
- vii) At paragraph E.8:
  - a) after “Cases in Class 3 may be tried by a High Court Judge, or a Circuit Judge, a Deputy Circuit Judge,” insert “a Deputy High Court Judge appointed under section 9(4) of the Senior Courts Act 1981,”
  - b) After “a Circuit Judge, a Deputy Circuit Judge, a Recorder” replace “or” with “,”
  - c) After “a qualifying judge advocate” add in “, or a District Judge (Magistrates’ Courts)”.
- viii) At paragraph E.9 after “If a case has been allocated to a judge, Recorder” replace “or” with “,”
  - d) After “qualifying judge advocate” insert “Deputy High Court Judges appointed under section 9(4) of the Senior Courts Act 1981, or District Judge (Magistrates’ Courts)”
  - e) After “a judge of at least equivalent standing.” Delete “PCMHs” and insert “PTPHs”
  - f) After “should only be heard by Recorders or qualifying judge advocates” insert “, or Deputy High Court Judges appointed under section 9(4) of the Senior Courts Act 1981, or a District Judge (Magistrates’ Courts)”
- ix) At paragraph E.10 delete “PCMH” and replace it with “PTPH”
- x) At paragraph E.11:

- a) in subparagraph iii. After “a Recorder or qualifying judge advocate or a Deputy Circuit Judge,” add in “or Deputy High Court Judge appointed under section 9(4) of the Senior Courts Act 1981”.
- b) In subparagraph v. after “where no Circuit Judge, Recorder, qualifying judge advocate” add in “, or Deputy High Court Judge appointed under section 9(4) of the Senior Courts Act 1981”
- c) After “satisfying the requirements above is available, by a Circuit Judge, Recorder, qualifying judge advocate” replace “or” with “,”
- d) After “Deputy Circuit Judge” insert “, or Deputy High Court Judge appointed under section 9(4) of the Senior Courts Act 1981”