

# Preparation for effective trial Criminal Procedure Rules Parts 1 & 3

- This form:
  - collects information about the case that the court will need to arrange for an effective trial: CrimPR rules 3.2 and 3.3
  - records the court's directions: CrimPR rule 3.5.
  
- After the court gives directions for trial, if:
  - information about the case changes, or
  - you think another direction is needed**you must tell the court at once:** CrimPR 1.2(1) & 3.12.

- If the defendant pleads not guilty, and the court requires:
  - the prosecutor must complete Parts 1, 2 and 4
  - the defendant must complete Parts 1, 3 and 4
  - the court will record directions in Part 5.
  
- See also the:\*
  - notes for guidance on using this form
  - directions about intermediaries and ground rules hearings
  - standard trial preparation time limits at the end of this form

**Court contact details** can be found at: <https://courtribunalfinder.service.gov.uk/search/>

Address	Phone
	Fax
Email	

## Part 1: to be completed by the prosecutor and the defendant (or defendant's representative)

**Defendant**

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**Offence(s)**

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**Police / CPS URN**

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**Date of first hearing**

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### 1 Prosecution contact details

Prosecuting authority

	Phone
Email	
Contact for this case:	

### 2 Defendant's contact details

Defendant

Address	Phone
	Mobile
Email	

### 3 Defendant's trial representative\*\*

No legal representative

OR

Representation is:

legal aid granted

*Defendant's representative to complete*

legal aid applied for

privately funded

Lawyer(s) / firm

	Phone
	Ref
Email	
Address	
Contact for this case:	

\*This form and those notes and directions are at: <https://www.gov.uk/government/publications/preparation-for-trial-in-a-magistrates-court>.

\*\*This means the defendant's legal representative for the whole trial, not a person appointed only to cross-examine a witness under CrimPR Part 23.

### 3A Defendant's parent or guardian

Name		Phone
Relationship to defendant		
Address		
Email		

### 3B Local authority responsible for the defendant

Is the defendant a looked after child?  Yes  No

Authority		Phone Ref
Address		
Email		
Responsible officer / social worker		

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## Part 2: to be completed by the prosecutor

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### 4 Case management information

#### 4.1 Evidence

Does the prosecutor intend to serve more evidence?  Yes  No

If yes, give details:

#### 4.2 Disclosure of unused prosecution material

Has the initial duty of disclosure of unused prosecution material been complied with?  Yes  No

If yes, when? If not, anticipated date for service

#### 4.3 Investigation

Are there any pending enquiries or lines of investigation?  Yes  No

If yes, give details (including likely timescale):

#### 4.4 Modern Slavery Act

Is there any suggestion that the defendant has been a victim of slavery or exploitation?  Yes  No

If yes, give details including the date of any reference to the national referral mechanism:

#### 4.5 Prosecution case

The prosecution will rely on:

defendant's admissions in interview	<input type="checkbox"/>
<i>Tick / delete as appropriate</i> defendant's failure to mention facts in interview	<input type="checkbox"/>
[a summary] [a record] of the defendant's interview	<input type="checkbox"/>
expert evidence	<input type="checkbox"/>
hearsay evidence	<input type="checkbox"/>
bad character evidence	<input type="checkbox"/>
[CCTV] [electronically recorded] evidence	<input type="checkbox"/>
[diagram] [sketch map] [photos]	<input type="checkbox"/>

#### 4.6 Display equipment

What equipment (live link or other media player, etc.) will the prosecutor need in the trial courtroom?  
*The prosecutor must make sure that any electronic media can be played in the courtroom.*

- 4.7 **Points of law**  
Does the prosecutor presently expect the case to involve a complex, novel or unusual point of law and / or fact? If so what?  Yes  No

## 5 Applications for directions

- 5.1 **Prosecution witness requiring assistance, special measures, etc.**  
Are there any prosecution witness requirements that may make special measures, reasonable adjustments or other support appropriate? If yes, give details in Part 4.  Yes  No

- 5.2 **Ground rules for questioning**  
Does the prosecutor want the court to arrange a discussion of ground rules for questioning?  Yes  No  
*If an intermediary is appointed, the court must discuss ground rules with the intermediary and advocates. A discussion may be helpful in other cases.*

- 5.3 **Variation of standard directions**  
Does the prosecutor want the court to vary a standard trial preparation time limit or make any other direction? If yes, give details:  Yes  No

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## Part 3: to be completed by the defendant (or defendant's representative)

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## 6 Advice on plea and absence

### Credit for guilty plea; trial in absence

Does the defendant understand that:

- (a) they will receive credit for a guilty plea?  Yes  No

*A guilty plea may affect the sentence and any order for costs.*

*If the defendant has not previously committed an offence the court may make a referral order in the event of a guilty plea.*

- (b) the trial can go ahead even if they do not attend?  Yes  No

*CrimPR rule 24.12*

## 7 Partial or different guilty plea

### 7.1 Mixed pleas

If more than one offence is alleged, does the defendant want to plead guilty to any of them?  Yes  No  N/A  
If yes, which offence(s)?

### 7.2 Basis of plea

Does the defendant want to plead guilty, but not on the facts alleged?  Yes  No  
*If yes, provide a written note of the facts on which the defendant wants to plead guilty.*

### 7.3 Different offence

Does the defendant want to plead guilty, but to a different offence?  Yes  No  
If yes, what offence?

## 8 Case management information

*Initial details of the prosecution case should have been served: CrimPR rule 8.2. Questions 8.1, 8.2, 8.3 and 8.4 are to help the court find out what is in dispute and give appropriate directions for trial. Tick and give details as appropriate.*

### 8.1 (a) presence

The defendant was present at the scene of the offence alleged

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute:

**(b) involvement**

The defendant [[carried out] [took part in] the conduct alleged] [drove the vehicle involved]

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute:

**(c) injury / loss / damage**

[Nature of injury] [extent of loss or damage] alleged by the prosecution

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute:

**(d) identification**

The defendant was correctly identified

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute:

**(e) lawful arrest**

The defendant was arrested lawfully

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute:

**(f) interview**

The defendant's interview [summary] [record] is accurate

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute:

**(g) fingerprints / DNA**

[Fingerprint] [DNA] evidence

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute by reference to the expert evidence summary:

**(h) scientific evidence**

[Medical] [identification of drug] [other scientific] prosecution evidence

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute by reference to the expert evidence summary:

**(i) alcohol / drug testing procedure**

The [alcohol] [drug] testing procedure was carried out correctly

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute:

**(j) disqualification / court order (e.g. restraining order)**

The defendant was [disqualified from driving] [subject to the court order specified] at the time of the offence alleged

Not disputed.  Disputed.  Irrelevant in this case

If disputed, explain what is in dispute:

**(k) continuity**

Exhibits and samples were collected and delivered as stated by the prosecution (i.e. continuity)

Not disputed.                       Disputed.                       Irrelevant in this case

If disputed, explain what is in dispute:

**(l) anticipated defence(s) - Tick as appropriate**

The defendant is likely to rely upon:

- self-defence
- reasonable excuse
- slavery or exploitation
- another statutory defence

If there is any suggestion that the defendant has been a victim of slavery or exploitation, give details including the date of any reference to the national referral mechanism. If any other defence is anticipated, give an outline.

OR - Irrelevant in this case

8.2 **Admissions**

Can any facts which are not in dispute be recorded in a written admission?

Yes  No

If yes, a written admission made by the defendant and the prosecutor [is set out here and signed at the end of this form] [is attached] [will be served later].

*Undisputed facts can be admitted by reference to a statement accepted in paragraph 8.1, e.g. "I admit 8.1(a) and (e)." Facts which are admitted are evidence: CrimPR rule 24.6 & Criminal Justice Act 1967, s.10.*

8.3 **Issues**

What are the real issues in this case? Explain:

(a) what particular facts are in dispute, if any, in addition to those identified in paragraph 8.1?

(b) what matters of law are in dispute, if any?

8.4 **Points of law**

Does the defendant presently expect the case to involve a complex, novel or unusual point of law and / or fact? If so what?

Yes  No

8.5 **Defence statement**

Does the defendant presently intend to give a defence statement? *Giving a defence statement is voluntary, but if one is given it must include the information collected in paragraphs 8.1 and 8.3 and must include particulars of facts relied on by the defence.*

Yes  No

- 8.6 **Display equipment**  
What equipment (live link or other media player, etc.) will the defendant need in the trial courtroom? *The defendant must make sure that any electronic media can be played in the courtroom.*

## 9 Applications for directions

- 9.1 **Variation of standard directions**  
Does the defendant want the court to vary a standard trial preparation time limit or make any other direction?  Yes  No  
If yes, give details:
- 9.2 **Defendant or defence witness requiring assistance, special measures, etc.**  
Are there any defendant or defence witness requirements that may make special measures, reasonable adjustments or other support appropriate? If yes, give details in Part 4.  Yes  No
- 9.3 **Ground rules for questioning**  
Does the defendant want the court to arrange a discussion of ground rules for questioning?  Yes  No  
*If an intermediary is appointed, the court must discuss ground rules with the intermediary and advocates. A discussion may be helpful in other cases.*

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### Parts 2 & 3 continued: additional information

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Use this space to record any additional information, or to continue an answer started above:

**Part 4: to be completed by the prosecutor, the defendant (or the defendant's representative) and the court**

**10 Prosecution witnesses. If this information changes, you must tell the court at once: CrimPR rule 1.2(1) & 3.12.**

Name of witness	Prosecutor to complete				Defendant to complete	Both parties to complete		For the court		
	Tick if under 18	If trial in Wales Tick if witness wishes to give evidence in Welsh	Other language(s) - interpreter needed? If so, specify language and dialect.	Special or other measures e.g. live link needed? If so, specify.**	What disputed issue in the case makes it necessary for the witness to give evidence in person?	Tick if attendance proposed P                  D		Tick if live link ordered	Evidence to be read ('R') or time required per witness EinC          X-exam	
1)	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2)	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3)	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4)	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
5)	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
6)	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**11 Expected defence witnesses. If this information changes, you must tell the court at once: CrimPR rule 1.2(1) & 3.12.**

Name of witness	Defendant to complete				Why is it necessary for the witness to give evidence in person?	Both parties to complete		For the court		
	Tick if under 18	If trial in Wales Tick if witness wishes to give evidence in Welsh	Other language(s) - interpreter needed? If so, specify language and dialect.	Special or other measures e.g. live link needed? If so, specify.**		Tick if attendance proposed D                  P		Tick if live link ordered	Evidence to be read ('R') or time required per witness EinC          X-exam	
1)*	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2)	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3)	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

\*If the defendant is likely to give evidence, list him or her as the first expected defence witness. \*\*Special or other measures may include screens, evidence by live link or in private, video recorded evidence, intermediary, breaks in examination or other measures to accommodate disability. They may increase the time needed for the witness. In some cases, the defendant may not be allowed to cross-examine a prosecution witness.

**Part 5: record of court's decisions and directions for effective trial**

- 12 Directions for trial:** *The court must actively manage the case by giving any direction appropriate to the needs of that case as early as possible: CrimPR rule 3.2(3). Complete or delete the following as appropriate*
- 12.1 **Service of evidence.** The prosecutor must serve any further evidence by: (date)
- 12.2 **Disclosure.** If the initial duty of disclosure has not been complied with, the prosecutor must comply by: (date)
- 12.3 **Witnesses & evidence.** Part 4 of this form indicates which witnesses are to give oral evidence, with time estimates, and which witnesses' evidence is to be read. The court expects evidence to be given as indicated in that Part. A party who wants to use electronic media, etc. must check before the trial that it can be played in the courtroom. If the trial will take place in Wales and the defendant or any witness wishes to speak Welsh, then (i) a Welsh speaking judge / magistrates and legal adviser should be arranged if possible, and (ii) a Welsh language interpreter is required for anyone who does not speak Welsh.
- 12.4 **Securing attendance** *CrimPR Part 17; rule 3.8(3).* [Witness summons / warrant] [other steps to secure attendance] for:  
(name)  
(name)
- 12.5 **Interpretation ordered**  

Witness name / defendant	Language	To be arranged by
		Court staff <input type="checkbox"/> Prosecutor <input type="checkbox"/> Defendant <input type="checkbox"/>
		Court staff <input type="checkbox"/> Prosecutor <input type="checkbox"/> Defendant <input type="checkbox"/>
- 12.6 **Special measures, reasonable adjustments or other support**  

Witness name / defendant	Type of special measure, adjustment or other arrangement
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- 12.7 **Prohibited cross-examination** *CrimPR Part 23*  
 The defendant may not cross-examine the following witness(es) except through a lawyer:  
(name(s) of witness(es))  
 The following directions apply for as long as the defendant has no legal representative for the trial:  
 the defendant to give notice of his/her appointment of a lawyer to cross-examine the witness(es) by: (date)  
 If the defendant gives no such notice by that date then either:  
 the court appoints (name of lawyer) to cross-examine the witness(es); or  
 the court directs the appointment for that purpose of a lawyer to be selected at a later date.
- 12.8 **Directions for intermediary's report and ground rules.** The directions at page 9 apply.
- 12.9 **Standard trial preparation directions.** The standard trial preparation time limits at page 10 apply [except] [with these variations]:
- 12.10 **Other directions:**
- 12.11 **Parent / guardian to attend**  
 The court requires the defendant's parent / guardian (name) to attend the trial.

**Arrangements for trial**

Trial date:	Trial time:	Trial Venue:
Custody time limit expires:	Court category:	
Total estimated trial length:		hours:minutes
Including evidence and submissions:		Deliberations and decision:
<i>A detailed trial timetable must be considered and attached if necessary: CrimPR rules 3.8 &amp; 3.13</i>		
Signed: Prosecution:	Defence:	Court:
Completed on:		(date)



## Directions for intermediary's report and ground rules

### Intermediary's report *CrimPR rule 18.32*

- a. Intermediary's report to be delivered to the court by: (date)
- b. The court will determine the application for an intermediary by: (date)

### Ground rules hearing *CrimPR rule 3.9*

- c. The court will discuss ground rules for questioning on: (date)  
*If an intermediary is appointed for a witness or for the defendant, the court must discuss the ground rules for questioning with the intermediary and the advocates before the witness or defendant gives evidence. Sufficient time must be allowed for this.*

### Ground rules: witness(es) *CrimPR rules 3.8(7), 3.9*

- d. The following ground rules will apply for the questioning of ..... (name of witness(es)):
  - (a) clear and simple language to be used;
  - (b) no tagged questions;
  - (c) no multiple questions;
  - (d) no questions to be repeated unless not heard or not understood;
  - (e) the witness must be allowed to answer one question before another is asked;
  - (f) questions to be asked in cross-examination to be submitted by: (date);
  - (g) other ground rules:

### Ground rules: defendant *CrimPR rules 3.8(7), 3.9*

- e. The following ground rules will apply for the questioning of the defendant:
  - (a) clear and simple language to be used;
  - (b) no tagged questions;
  - (c) no multiple questions;
  - (d) no questions to be repeated unless not heard or not understood;
  - (e) the defendant must be allowed to answer one question before another is asked;
  - (f) questions to be asked in cross-examination to be submitted by: (date);
  - (g) other ground rules:

## Standard trial preparation time limits

*The court can vary any of these time limits. Time limits marked \* are not prescribed by rules or other legislation.  
The total time needed to comply with all these time limits is 6 weeks (9 weeks if paragraph m applies).*

- Written admissions** (Criminal Procedure Rules, r.24.6; Criminal Justice Act 1967, s.10)
- a. The parties must serve any written admissions of agreed facts within **14 days**.\*
- Defence statement** (Criminal Procedure Rules, r.15.4; Criminal Procedure and Investigations Act 1996, s.6)
- b. Any defence statement must be served within **14 days** of the prosecutor complying with the initial duty of disclosure.
- Defence witnesses** (Criminal Procedure and Investigations Act 1996, s.6C)
- c. Defence witness names, etc. must be notified within **14 days** of the prosecutor complying with the initial duty of disclosure.
- Application for disclosure** (Criminal Procedure Rules, r.15.5; Criminal Procedure and Investigations Act 1996, s.8)
- d. The defendant must serve any application for an order for prosecution disclosure as soon as reasonably practicable after the prosecutor complies with the initial duty of disclosure.\* *Under s.8 of the Criminal Procedure and Investigations Act 1996, no such application may be made unless a defence statement has been served.*
- e. The prosecutor must serve any representations in response within **14 days after that**.
- Witness statements** (Criminal Procedure Rules, r.16.4; Criminal Justice Act 1967, s.9)
- f. The defendant must serve any defence witness statement to be read at trial at least **14 days before the trial**.\*
- g. Any objection to a witness statement being read at trial must be made within **7 days of service of the statement**. *This does not apply to the statements listed in Part 4.*
- Measures to assist a witness or defendant to give evidence** (Criminal Procedure Rules, rr.18.3, 18.13, 18.17, 18.22, 18.26)
- h. Any [further] application for special or other measures must be served within **28 days**.
- i. Any representations in response must be served within **14 days after that**.
- Cross-examination where defendant not represented** (Criminal Procedure Rules, rr.23.2, 23.4, 23.7)
- j. The defendant must serve notice of any representative appointed to cross-examine within **7 days**.\*
- k. The prosecutor must serve any application to prohibit cross-examination by the defendant in person as soon as reasonably practicable.
- l. Any representations in response must be served within **14 days after that**.
- Expert evidence** (Criminal Procedure Rules, rr.19.3, 19.4)
- m. If either party relies on expert evidence, the directions below apply.
- (i) The expert's report must be served within **28 days**.\*
- (ii) A party who wants that expert to attend the trial must give notice within **7 days after (i)**.\*
- (iii) A party who relies on expert evidence in response must serve it within **14 days after (ii)**.\*
- (iv) There must be a meeting of experts under rule 19.6 within **14 days after (iii)**.\*
- (v) The parties must notify the court **immediately after (iv)** if the length of the trial is affected by the outcome of the meeting.\*
- Hearsay evidence** (Criminal Procedure Rules, rr.20.2, 20.3)
- n. The prosecutor must serve any notice to introduce hearsay evidence within **28 days**.
- o. The defendant must serve any notice to introduce hearsay evidence as soon as reasonably practicable.
- p. Any application to determine an objection to hearsay evidence must be served within **14 days of service** of the notice or evidence.
- Bad character evidence** (Criminal Procedure Rules, rr.21.2, 21.3, 21.4)
- q. The prosecutor must serve any notice to introduce evidence of the defendant's bad character within **28 days**.
- r. Any application to determine an objection to that notice must be served within **14 days after that**.
- s. Any application to introduce evidence of a non-defendant's bad character must be served within **14 days** of prosecution disclosure.
- t. Any notice of objection to that evidence must be served within **14 days after that**.
- Previous sexual behaviour evidence** (Criminal Procedure Rules, rr.22.2, 22.3, 22.4, 22.5)
- u. The defendant must serve any application for permission to introduce evidence of a complainant's previous sexual behaviour within **28 days** of prosecution disclosure.
- v. The prosecutor must serve any representations in response within **14 days after that**.
- Point of law, including abuse of process etc.** (Criminal Procedure Rules, rr.3.3, 3.12)
- w. Any skeleton argument must be served at least **14 days before the trial**.\*
- x. Any skeleton argument in reply must be served within **7 days after that**.\*
- Trial readiness** (Criminal Procedure Rules, rr.3.3, 3.12)
- y. The parties must certify readiness for trial at least **14 days before the trial**,\* confirming that witnesses due to give evidence in person will do so and confirming the trial time estimate.

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