

Statutory Document No. 2014/0410



High Court Act 1991

CRIMINAL JURISDICTION (LIVE TELEVISION LINK) RULES 2014

Laid before Tynwald:

Coming into Operation:

01 January 2015

The Deemsters make the following Rules under section 25 of the High Court Act 1991¹, as extended by section 57 of the Criminal Jurisdiction Act 1993², and section 35 of the Criminal Justice, Police and Courts Act 2007³.

1 Title

These Rules are the Criminal Jurisdiction (Live Television Link) Rules 2014.

2 Commencement

These Rules come into operation on 01 January 2015.

3 Interpretation

In these Rules –

“live link direction” means a direction under section 29 of the Criminal Justice, Police and Courts Act 2007 (use of live television links at preliminary hearings);

“preliminary hearing” means any hearing before the start of the trial in criminal proceedings in a Court of General Gaol Delivery.

4 Application of Rules

These Rules apply to a person who appears in custody for a preliminary hearing (whether or not for the first time) on or after 01 January 2015.

¹ 1991 c12

² 1993 c9

³ 2007 c3

5 Giving of Live Link Direction

A Court of General Gaol Delivery may, of its own motion, give a Live Link Direction in respect of a preliminary hearing at any time before, or at, the hearing.

6 Application for a Live Link Direction

- (1) An application to the Court for a Live Link Direction in respect of a preliminary hearing may be made by the prosecutor or the accused at any time before, or at, the hearing.
- (2) An application made otherwise than at the hearing shall be made by filing in the General Registry a notice in the form in the Schedule, and the applicant shall serve a copy of the notice on the other party.

7 Revocation

The Criminal Jurisdiction (Live Television Link) Rules 2008⁴ are revoked.

MADE **18 DECEMBER 2014**

D C DOYLE

Her Majesty's First Deemster and Clerk of the Rolls

A T K CORLETT

Her Majesty's Second Deemster

⁴ SD 0707/08

SCHEDULE

FORM

Rule 6(2)

Application for a Live Link Direction

In the Court of General Gaol Delivery

Between Her Majesty's Attorney General for the Isle of Man Prosecutor

And

[name of defendant] Defendant

Counts: [summary of counts as stated in Information]

Hearing: [description, date and time of hearing to which application relates]

The [prosecutor][defendant] applies for a Direction under section 29 of the Criminal Justice, Police and Courts Act 2007 that the defendant shall be treated as being present at the above hearing.

The grounds of this application are [set out grounds].

Date

[signature]

[Advocate for][Authorised by][Prosecutor][Defendant]

EXPLANATORY NOTE***(This note is not part of the Rules)***

These Rules make provision for applications for directions under section 29 of the Criminal Justice, Police and Courts Act 2007 for the use of a live television link at a preliminary hearing in a Court of General Gaol Delivery.