

# Newsletter 1/2021

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Newsletter 1/2021

Happy New Year to all our clients and subscribers. What a difficult year 2020 was. We move forward into a new year with updates in key procedural criminal legislation.

New Criminal Procedures Investigations Act Codes of Practice

On 31 December 2020 the new Criminal Procedures Investigations Act Codes of Practice came into force. They can be obtained from the following link.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/931173/Criminal-procedure-and-investigations-act-1996.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/931173/Criminal-procedure-and-investigations-act-1996.pdf)

There are also Revised Attorney Generals Guidelines on Disclosure which also came into force on the 31 December 2020. These Guidelines replace the existing Attorney General's Guidelines on Disclosure issued in 2013. They can be obtained from the following link.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/946082/Attorney\\_General\\_s\\_Guidelines\\_2020\\_FINAL\\_Effective\\_31Dec2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/946082/Attorney_General_s_Guidelines_2020_FINAL_Effective_31Dec2020.pdf)

In a few days we will be putting further information out on the changes in both documents.

We are also offering half day standard and refresher on line training in CPIA which will obviously cover the latest contents of both documents. We will also shortly be offering master classes in specific subjects as the role of the Disclosure Officer, including completing the disclosure forms.

For further information contact [pfowler@phftraining.co.uk](mailto:pfowler@phftraining.co.uk)  
(<mailto:pfowler@phftraining.co.uk>)

Criminal Procedure Rules 2020 now in force

A considerable number of investigators have probably never looked at or read them. Basically, the legislation tells us what to do, but the Criminal Procedure Rules inform us on how to do it.

The new, consolidated, Criminal Procedure Rules 2020 came into force on Monday 5 October 2020.

Criminal Procedure Rule Oct 2020 r.16.2 should be reflected at the top of witness statements. This will show it is up to date.

The Criminal Procedure Rules and Practice Directions 2020 page

(<https://www.gov.uk/guidance/rules-and-practice-directions-2020>) now contains the new rules.

There are also Civil procedure Rules. They can be obtained at the following link.  
<https://www.justice.gov.uk/courts/procedure-rules/civil>

Sentencing Act 2020 changes

On 1 December 2020 the Sentencing Act 2020 replaces most other sentencing legislation. The Act (<https://www.legislation.gov.uk/ukpga/2020/17/contents>) is published at [legislation.gov.uk](https://www.legislation.gov.uk).

References to sentencing legislation in the Criminal Procedure Rules

([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/938587/references-sentencing-legislation-cprc.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/938587/references-sentencing-legislation-cprc.pdf)) (PDF, 143KB, 8 pages)

COVID-19 Interview protocol

I am sure you are aware of the COVID-19 interview protocol. It is worth mentioning that it is reviewed every month since it first came in on 1 April 2020. It was amended on 24 April to include:

Provision for the defence practitioners to attend police interviews by telephone in certain circumstances.

Adding that special care should be taken in deciding whether, and how, an interview of a child or vulnerable adult should proceed. When an appropriate adult is required for a suspect, they must be physically present with the suspect in interview and should be involved in any discussion about interview arrangements.

You can download the protocol from the Law Society Link at <https://www.lawsociety.org.uk/en/topics/coronavirus/coronavirus-covid-19-interview-protocol>

If anyone has difficulty obtaining any documents, please email [pfowler@phftraining.co.uk](mailto:pfowler@phftraining.co.uk) (mailto:pfowler@phftraining.co.uk)

If you have not received this circulation direct from PHF Training and wish to be entered onto our update list, please email [pfowler@phftraining.co.uk](mailto:pfowler@phftraining.co.uk) (mailto:pfowler@phftraining.co.uk) for inclusion. Also please feel free to pass on this circulation.

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