

Application by prosecution for oral hearing of defence application for dismissal under s. 6 Criminal Justice Act 1987 or Schedule 6 Criminal Justice Act 1991
(Criminal Procedure Rules, rr 13.4(3); 13.4(7))

This form may be used by the Prosecution to apply for:

- an oral hearing of a defence application for dismissal;
- leave to call witnesses; or
- an extension of time within which to apply for (a) an oral hearing or (b) to submit documents.

An application by the prosecution for an oral hearing, or for an extension of time within which to apply for an oral hearing, must be made within 7 days of receipt of notice of the defence application for dismissal. Written comments or material must be submitted to the appropriate officer of the court within 14 days of the date of receipt of the defence application.

A copy of this form must be given to the applicant for dismissal and to any other person to whom the application to dismiss relates.

Case Details

The Crown Court
at

Crown Court
Case number:

Enter the name of the Court shown on the notice of transfer, the case no. and the date of receipt of the defence application

Date of receipt of copy of defence application:

Defendant(s)*

Surname:

Forenames:

Address:

Date of birth:

Application under *CJA 1987/CJA 1991

*Director of Public Prosecutions/
Designated Authority:

Ref:

* d e l e t e a s
appropriate
State the name, address and reference.
(*delete as appropriate)
Tick as appropriate

Application for oral hearing

Application for leave to call witnesses

(s.6(3) CJA 1987 or Sch 6, para 5(4) CJA 1991)

Application for extension of time within which to apply for oral hearing

Application for extension of time within which to submit documents

Charges*	Specify all charges and indicate those to which the application for dismissal applies and those on which the prosecution intend to respond
Grounds for applying	State the grounds on which the application is being made
Witnesses* for the prosecution	Indicate which witnesses you propose to call, if leave is given
<p>Witnesses under 18</p> <p>Name:</p> <p>Date of birth: Date of any video recording of the witness as is mentioned in section 32A(2) of the Criminal Justice Act 1988:</p> <p>Is the witness the alleged victim or an alleged witness of the commission of the offence(s) charged: YES/NO (delete inapplicable)</p> <p>I confirm that none of the proposed witnesses is a child to whom CJA 1991 Schedule 6 paragraph 5(5) applies.</p>	<p>(If applying under CJA 1987, you do not need to complete this section.) State the date of birth of each witness (or that he is 18 or over). In relation to each witness under 18, you must also provide the additional information requested (CJA 1991, Sch. 6 para. 5(5))</p>
Witnesses for defence	<p>(If applying under CJA 1987, you do not need to complete this section.) Indicate any grounds on which it appears that a proposed witness for the defence is a child to whom CJA 1991, Sch. 6 para. 5(5) applies</p>
<p>Signature:</p> <p>* continue overleaf if necessary</p>	<p>Date:</p> <p>- page 2 -</p>

[Note: Formerly form 5302, Criminal Justice Act 1987 (Dismissal of Transferred Charges) Rules 1988 (S.I. 1988/1695), relating to r 4 of those Rules and form 2, Criminal Justice Act 1991 (Dismissal of Transferred Charges) Rules 1992 (S.I. 1992/1848), relating to r 4 of those Rules.]