

APPLICATION TO VARY OR REVOKE A BEHAVIOUR ORDER

(Criminal Procedure Rules, rule 31.5)

Case details

Name of defendant:

Court:

Case reference number:

This is an application by (name of applicant)

of: (address)

Email address:

Contact telephone number(s):

for the court to vary a behaviour order
 revoke a behaviour order

Use this form ONLY for an application to vary or revoke a behaviour order made in a criminal case to which Criminal Procedure Rules Part 31 applies. This form is NOT for use in a non-criminal case, i.e. one in which the behaviour order was made on an application by the police, a local authority, etc. otherwise than as part of a prosecution of the defendant.

The applicant must be one of the people listed in CrimPR 31.5(1)(b).

1. Complete the boxes above and give the details required in the boxes below. If you use an electronic version of this form, the boxes will expand¹. If you use a paper version and need more space, you may attach extra sheets.

2. Sign and date the completed form.

3. Send a copy of the completed form to:

(a) the court,

(b) the prosecutor (if you are not the prosecutor),

(c) the defendant (if you are not the defendant).

Do not send the form to anyone else. The court may direct the court officer to send the application to other people listed in CrimPR 31.5(1)(b).

A party who wants to make representations about this application must let the applicant and the court know within 14 days.

1) Details of the behaviour order. Give details of the type of order (e.g. criminal behaviour order, restraining order, etc.), the date on which it was made, and its terms (or attach a copy of it).

¹ Forms for use with the Rules are at: www.justice.gov.uk/courts/procedure-rules/criminal/formspage.

2) Reasons for this application. Explain:

- (a) what circumstances affecting the operation of the order have changed since it was made,
- (b) why the court ought to vary or revoke the order as a result, and
- (c) when it was that you found out about those circumstances.

3) Evidence of which you want the court to take account. If you want the court to take account of any particular evidence before making its decision, identify that evidence and attach any written statement that has not been served before (e.g. during the prosecution of the defendant).

4) I want the court to decide this application:

without a hearing. The legislation that gives the court the power to vary or revoke a behaviour order may require a hearing. If not, then the court can decide an application with or without a hearing, but the court must not:

- (a) dismiss your application unless you have had an opportunity to make representations at a hearing (whether or not you in fact attend), or
- (b) allow your application unless everyone required to be served, by the rules or by the court, has had at least 14 days in which to make representations, including representations about whether there should be a hearing.

at a hearing.

Signed²:

Date:

² If you use an electronic version of this form, you may instead authenticate it electronically (e.g. by sending it from an email address recognisable to the recipient). See Criminal Procedure Rules, rule 5.3.

