

ACT OF ADJOURNAL (CRIMINAL PROCEDURE RULES) 1996 SI 1996/513

SCHEDULE 2

CRIMINAL PROCEDURE RULES 1996

PART IV Summary proceedings

CHAPTER 19C RISK ASSESSMENT

Risk assessment orders

19C.1 (1) A notice of intention to make a motion for a risk assessment order under section 210B(2) of the Act of 1995 shall be in Form 19C.1–A.

(2) A risk assessment order under section 210B(2) of the Act of 1995 shall be in Form 19C.1–B.

(3) An application under section 210B(5) of the Act of 1995 (application for extension of period of adjournment following order) shall be made by letter to the Clerk of Justiciary.

(4) On receipt of a letter under paragraph (3), the Clerk of Justiciary shall–

(a) send a copy of that letter to the prosecutor, the convicted person and the assessor; and

(b) fix a date and time for hearing the application which date and time shall be notified by the Clerk of Justiciary to the prosecutor; the convicted person and the governor of any institution in which the convicted person is detained.

(5) The Clerk of Justiciary shall notify the governor of any institution in which the convicted person is detained of any extension (or further extension) under section 210B(5) of the Act of 1995, of the period mentioned in section 210B(4) of the Act of 1995 (adjournment following risk assessment order).

Reports

19C.2A A report under section 210C or 210D of the Act of 1995 shall be in Form 19C.2.

Objections to reports

19C.3 (1) A convicted person shall intimate any objection under section 210C(7) of Act of 1995 by lodging with the Clerk of Justiciary and serving on the prosecutor a notice of objection in Form 19C.3 within 14 days after receiving a copy of the report.

(2) On receipt of a notice of objection under paragraph (1), the Clerk of Justiciary shall fix a date and time for hearing the objection and shall intimate that date and time to the convicted person, the prosecutor and the governor if any institution in which the convicted person is detained.

(3) The convicted person and the prosecutor shall, not less than 7 days before the hearing mentioned in paragraph (2), lodge and serve on the other party lists of any witnesses and productions on which they propose to rely at the hearing.