STATUTORY INSTRUMENTS

2016 No. 612

SENIOR COURTS OF ENGLAND AND WALES

The Crown Court (Recording) Order 2016

Made - - - - 26th May 2016

Coming into force in accordance with article 1

The Lord Chancellor, with the concurrence of the Lord Chief Justice, makes the following Order under section 32(1) of the Crime and Courts Act 2013(**1**).

In accordance with section 58(4) of that Act, a draft of this Order was laid before and approved by a resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the Crown Court (Recording) Order 2016 and comes into force on the day after the day on which it is made.

Definitions

2. In this Order, "recording" means a visual or sound recording on any medium from which a single image, a moving image or any sound may be produced or reproduced, or the making of any such recording, and "recorded" shall be construed accordingly.

Crown Court

3. This Order applies to the recording of sentencing remarks in the Crown Court made by the judge in open court.

Recording sentencing remarks

4. Section 41 of the Criminal Justice Act 1925(**2**) and section 9 of the Contempt of Court Act 1981(**3**) do not apply where sentencing remarks are recorded in accordance with the conditions in articles 5 to 7.

(**1**) 2013 c. 22.
(**2**) 1925 c. 86. Section 41 was amended by section 56(4) and Schedule 11 to the Courts Act 1971 (c. 23), sections 37, 38 and 46 of the Criminal Justice Act 1982 (c. 48) and section 47(1) of the Constitutional Reform Act 2005 (c. 4).
(**3**) 1981 c. 49.