

Criminal Benchbook Update Notes – February 2012

1. Remove the old “Contents Index” pages numbered 1.1 – 1.9. Replace with the new “Contents Index” pages numbered 1.1 – 1.9.
2. Add the “Update Notes – February 2012” pages numbered 2E.1 – 2E.2.
3. Remove the old “Table of Cases” pages. Replace with the new “Table of Cases” pages.
4. Remove the old “9 – Protected witnesses: s 5 *Criminal Law (Sexual Offences) Act 1978*” direction pages. Replace with new “9 – Protected witnesses: s 5 *Criminal Law (Sexual Offences) Act 1978*” direction pages.
5. Remove the old “12 – Competency of witnesses, including children” direction page. Replace with the new “12 – Competency of witnesses, including children” direction pages.
6. Remove the old “25 – Views and demonstrations” direction pages. Replace with the new “25 – Views and demonstrations” direction pages.
7. Remove the old “28A – Defendant not giving evidence, where no adverse inference” direction pages. Replace with the new “28A – Defendant not giving evidence, where no adverse inference” direction pages.
8. Remove the old “38 – Lies told by defendant (consciousness of guilt)” direction pages. Replace with the new “38 – Lies told by defendant (consciousness of guilt)” direction pages.
9. Remove the old “39 – Lies told by the defendant (Going only to Credit)” direction pages. Replace with the new “39 – Lies told by the defendant (Going only to Credit)” direction pages.
10. Remove the old “40 – Alibi” direction pages. Replace with the new “40 – Alibi” direction pages.
11. Remove the old “41 – Good character” direction pages. Replace with the new “41 – Good character” direction pages.
12. Remove the old “48 – Flight and other post offence conduct as demonstrating consciousness of guilt” direction pages. Replace with the new “48 – Flight and other post offence conduct as demonstrating consciousness of guilt” direction pages.
13. Remove the old “76 – Mistake of fact” direction pages. Replace with the new “76 – Mistake of fact” direction pages.

14. Remove the old “76A – Mistake of fact in sexual cases” direction pages. Replace with the new “76A – Mistake of fact in sexual cases” direction pages.
15. Remove the old “86 – Self-defence: s 271(1)” direction pages. Replace with the new “86 – Self-defence: s 271(1)” direction pages.
16. Remove the old “87 – Provocation” direction pages. Replace with the new “87 – Provocation – pre 4 April 2011” direction pages.
17. Add the new “87A – Provocation – post 4 April 2011” direction pages.
18. Remove the old “87A – Killing in an abusive domestic relationship” direction pages. Replace with the new “87B – Killing for preservation in an abusive domestic relationship: s 304B” direction pages.
19. Remove the old “114 – Grievous bodily harm” direction pages. Replace with the new “114 – Grievous bodily harm” direction pages.
20. Remove the old “117 – Incest: s 222” direction pages. Replace with the new “117 – Incest: s 222” direction pages.
21. Remove the old “118 – Indecent assault: s 352” direction pages. Replace with the new “118 – Indecent assault: s 352” direction pages.
22. Remove the old “133 – Rape – before 27.10.2000” direction pages. Replace with the new “133 – Rape – before 27.10.2000” direction pages.
23. Remove the old “133A – Rape – after 27.10.2000” direction pages. Replace with the new “133A – Rape – after 27.10.2000” direction pages.
24. Remove the old “138A – Secret commissions s 442B, 442M” direction pages. Replace with the new “138A – Secret commissions s 442B, 442M” direction pages.
25. (To Associates) **DO NOT** discard or replace any page on which your judge has written or made notes.