



WHAT'S NEW IN ARCHBOLD 2026

MAIN WORK - REVISED & UPDATED CONTENT

The new edition is as up-to-date and authoritative as ever featuring amendments and regulations made by new legislation, such as the Data (Use and Access) Act 2025. Secondary legislation includes changes to corporate criminal liability introduced by the Economic Crime and Corporate Transparency Act 2023 and offences introduced by the Online Safety Act 2023 brought into force. Technical amendments to sentencing have been brought into force to ease space in prisons, such as changes to release introduced throughout the year: whether by amendment to the period of time determinate sentence prisoners have been required to serve, an extension of the availability of home detention curfew, and changes to the approach to public protection decisions.

The Criminal Procedure Rules have been reconsolidated and republished as The Criminal Procedure Rules 2025 (SI 2025/909). The Main Work has been updated to reflect the new rules and they can be found in their entirety in Appendix 1 of the Supplement.

The Supreme Court has tackled some significant issues since the publication of the last edition, overturning decisions of the Court of Appeal, such as *El-Khouri v Government of the USA* [2025] UKSC 3 (money laundering/proceeds of crime), plus significant Court of Appeal decisions which include *Bhatti* [2025] EWCA Crim 8 (on *Lucas* lies directions); *Deeproose*; *Papworth* [2024] EWCA Crim 1431 (whether a vehicle can be a weapon taken to the scene in sentencing murder offences); and *Hallam* [2025] EWCA Crim 199 (on the approach to conscientious motive in sentencing protest).

Look out for a more detailed overview of all the new updates included in Archbold 2026 coming soon.

The Archbold e-update will keep you fully informed on further changes on a weekly basis as they happen.

Third Supplement to the 2026 Edition

Statute

Children's Wellbeing and Schools Act 2026 (Chapters 15 and 19)

Crime and Policing Act 2026 (*passim*)

Finance Act 2026 (Chapter 30)

Sentencing Act 2026 (*passim*)

Victims and Courts Act 2026 (*passim*)

Statutory instruments

Domestic Abuse Act 2021 (Commencement No. 6, 8 and 9 and Saving Provisions) (Amendment) Regulations 2026 (SI 2026/342) (§ 19-358g)

Employment Rights Act 2025 (Investigatory Powers) (Consequential Amendments) Regulations 2026 (SI 2026/351) (§ 15A-334)

Firearms (Amendment and Revocation) Rules 2026 (SI 2026/304) (§ 24-2)

Financial Services and Markets Act 2000 (Cryptoassets) Regulations 2026 (SI 2026/102) (§ 30-32h)

Investigatory Powers (Communications Data) (Relevant Public Authorities) Regulations 2026 (SI 2026/426) (§ 15A-334)

Protection from Sex-based Harassment in Public Act 2023 (Commencement) Regulations 2026 (SI 2026/344) (§§ 5A-951 and 29-41a)

Public Authorities (Fraud, Error and Recovery) Act 2025 (Commencement No. 2) Regulations 2026 (SI 2026/371) (§ 15A-334)

Public Order Act 2023 (Interference With Use or Operation of Key National Infrastructure)

Regulations 2026 (SI 2026/112) (§§ 29-102 and 29-103)

Sentencing Act 2026 (Commencement No. 3) Regulations 2026 (SI 2026/402) (*passim*)

Cases

Deferred prosecution agreements; individual names; privacy; *Simms-Davies v Southwark Crown Court* (§ 1-383)

Instituting proceedings; Attorney General's consent; summary offences; *DPP v Óg Ó hAnnaidh* (§ 1-388)

Custody time limits; extension; resources; rigour; *R. (Bernard) v Snaresbrook Crown Court* (§ 1-426)

Abuse of process; conflict of interest; funding; *Moore* (§ 4-90b)

Sentence; guilty plea; absconding; *Martin (Dane)* (§ 5A-159)

Sentence; pre-sentence reports; rape; errors of law; *Att.-Gen.'s Reference (Thompson)* (§ 5A-295)

Sentence; murder; disparity in age; *Douglas* (§ 5A-1219)

Sentence; breach of suspended sentence order; relationship with immediate custody; *Stewart* (§ 5A-1466)

Confiscation; burden of proof; criminal lifestyle cases; *Michaelides* (§ 5B-44)

Appeals; appeal by prosecution; ability to reverse ruling; *Clarke* (§ 7-248)

Investigatory powers; covert human intelligence sources; disclosure; *AXR* (§ 15A-229)

Mens rea; recklessness; objective or subjective; *BCZ* (§ 17B-51)

Offences against the person; causing child or vulnerable adult to die or suffer serious physical harm; elements; *Jamal* (§ 19-170)

Sexual harm prevention orders; polygraph requirements; *XBV* (§ 20-314)

Criminal damage; racially or religiously aggravated; joinder in indictment; *Campbell* (§§ 23-31d and 23-44)

Explosive substances; causing explosion likely to endanger life or property; elements; *Haydon* (§§ 23-65a and 23-65c)

Firearms; component parts; receivers; *Daniels* (§ 24-120)

Corrosive substances; sentencing guidelines; *Thorpe* (§ 24-224)

Terrorism; proscribed organisations; challenge to proscription; *R. (Ammori) v Secretary of State for the Home Department* (§ 25-12)

Terrorism; support for proscribed organisations; compatibility with ECHR; ABJ; *BDN* (§ 25-18)

Public order; harassment, alarm and distress; *DPP v Coskun* (§ 29-42)

Public nuisance; rights exercised or enjoyed by the public at large; *AFY* (§ 31-39b)

Second Supplement to the 2026 Edition

Primary legislation

Employment Rights Act 2025 (*passim*)

Border Security, Asylum and Immigration Act 2025 (*passim*)

Mental Health Act 2025 (*passim*)

Public Authorities (Fraud, Error and Recovery) Act 2025 (Chapters 15A and 32)

Sentencing Act 2026 (*passim*)

Statutory instruments

Border Security, Asylum and Immigration Act 2025 (Commencement No. 1)

Regulations 2025 (SI 2025/1318) (§§ 25-257—25-258)

Border Security, Asylum and Immigration Act 2025 (Commencement No. 2)

Regulations 2026 (SI 2026/59) (§ 25-257)

Criminal Legal Aid (General and Remuneration) (Amendment) Regulations 2025 (SI 2025/1251) (Chapter 6 and Appendix G)

Criminal Legal Aid (Remuneration) (Amendment) Regulations 2026 (SI 2026/106) (Appendix G)

Criminal Procedure (Amendment) Rules 2026 (SI 2026/47) (Appendix 1)

Counter-Terrorism and Border Security Act 2019 and the Terrorism Act 2000 (Port Examination Codes of Practice) Regulations 2025 (SI 2025/1040) (§§ 25-167 and 25-430)

Data (Use and Access) Act 2025 (Commencement No. 5) Regulations 2026 (SI 2026/31) (§§ 20-33 and 33-84)

Domestic Abuse Act 2021 (Commencement No. 6, 8 and 9 and Saving Provisions) (Amendment) Regulations 2025 (SI 2025/1222) (§ 19-358g)

Sentencing Act 2020 (Amendment of Schedule 21) Regulations 2025 (SI 2025/1071) (§§ 5A-853 and 5A-1212)

Sentencing Act 2026 (Commencement No. 1) Regulations 2026 (SI 2026/86) (Chapters 3 and 5A)

Sentencing Act 2020 (Special Procedures for Community and Suspended Sentence Orders) (Amendment) Regulations 2025 (SI 2025/1207) (§§ 5A-604 and 5A-676)

Cases

Deferred prosecution agreements; extant; breach; matters relating to trial on indictment; *Guralp Systems Ltd v Director of the SFO* (§§ 1-384 and 7-11)

Custody time limits; extension; due diligence and expedition; *R. (Damji) v Wood Green Crown Court* (§ 1-428)

Trial; submissions of no case to answer; end of defence case; *ACR* (§ 4-362)

Trial; summing up; failure to call defence witness; *Tallentire* (§ 4-460)

Sentence; sentencing guidelines; category range; *Takawira and Williams* (§ 5A-22)

Sentence; aggravating factors; immigration status; *Ahmed* (§ 5A-59)

Sentence; totality; previous convictions; offending on licence; *Jarvis* (§ 5A-200)

Sentence; murder; whole life sentences; enhanced exceptionality; *Att.-Gen.'s Reference (Prosper)* (§ 5A-860)

Costs; prosecution costs; *BDI* (§ 6-33)

Costs; High Court; criminal causes; *R. (Bates) v Highbury Corner Magistrates' Court* (§ 6-84)

Legal aid; fees; unfit defendants; *Kurtaj* (§ 6-101)

Appeals; fresh evidence; expert evidence; *Campbell* (§ 7-50)

Attorney General's references; unduly lenient sentences; scope of scheme; *Att.-Gen.'s Reference (Poulson)* (§ 7-411)

Appeals; to Crown Court; composition; *R. (Chief Constable of Cambridgeshire Police) v Crown Court at Peterborough* (§ 7-491)

Evidence; previous convictions of the accused; rebuttal; *Norman* (§ 9-28)

Evidence; foreign convictions; proof; *Gonçalves* (§ 9-31)

Confessions; lies made to improve street credibility; *Debonsu* (§ 15B-31)

Soliciting to murder; sentence; *Plumb* (§ 19-174)

Causing grievous bodily harm; joint participants; *BXQ* (§ 19-260)

Modern slavery; elements; *Webb* (§ 19-436)

Sexual offences; consent; non-disclosure of filming; *BVA* (§ 20-23)

Sexual harm prevention orders; barring; *Thorpe* (§ 20-313)

Theft; property; intangible property; video game currency; *Lakeman* (§ 21-51)

Fraud; fraud by false representation; particulars of indictment; *Sharma* (§ 21-327)

Explosive substances; sentence; *Murphy* (§ 23-69)

Misconduct in public office; public office; *Evans* (§ 25-496)

Contempt of court; procedure; *Szobollodi* (§ 28-41)

Dangerous dogs; criminal injury compensation; *R. (Criminal Injuries Compensation Authority v First-tier Tribunal (Social Entitlement Chamber))* (§ 31-35)

Public nuisance; elements; *AFY* (§ 31-39b)

Driving offences; failure to identify driver; *DPP v Micura* (§ 32-186)

First Supplement to the 2026 Edition

Primary legislation

Data (Use and Access) Act 2025 (§ 5A-484)

Statutory instruments

Criminal Justice Act 2003 (Suitability for Fixed Term Recall) Order 2025 (SI 2025/833) (§ 5A-1409)

Criminal Procedure Rules 2025 (SI 2025/909) (Appendix 1)

Football Spectators (Prescription) (Amendment) Order 2025 (SI 2025/871) (§§ 5A-953 and 5A-954)

National Security Act 2023 (Commencement No. 2) Regulations 2025 (SI 2025/674) (§ 25-330)

Cases

Allocation; low-value shoplifting; *Jobson v DPP* (§ 21-23)

Appeal; jurisdiction of Crown Court; lay magistrates; *R. (Chief Constable of Cambridgeshire Police) v Crown Court at Peterborough* (§ 2-7)

Arraignment; fitness to plead; *De Zoysa* (§ 4-238)

Jury in retirement; video recorded evidence; transcripts; *White* (§ 4-498)

Sentence; mitigating factors; pregnancy; *Saville* (§ 5A-81)

Sentence; victim personal statements; video evidence; procedure; *Conway* (§ 5A-354)

Sentence; imposition of sentence; legal representation; unrepresented defendants; *Diabate* (§ 5A-359)

Sentence; compensation orders; criminal injuries compensation scheme; *ANZ* (§ 5A-416a)

Sentence; time on remand exceeding sentence; application of post-sentence supervision; *Hajdaraj* (§§ 5A-610 and 5A-689)

Sentence; minimum terms; prison conditions; *Att.-Gen.'s Reference (Clarke)* (§ 5A-737)

Sentence; murder; domestic violence; *Att.-Gen.'s Reference (Crook)* (§ 5A-883)

Sentence; preventative orders; criminal behaviour orders; *Magloub* (§ 5A-925)

Sentence; hospital orders; medical evidence; *Hamilton* (§ 5A-1326a)

Expert evidence; admissibility; forensic odontology evidence; *Hedges* (§ 10-19)

Rehabilitation of offenders; acquittal; disclosure; *AR v UK* (§ 13-94)

Adverse inferences from silence; state of mind; *Leslie* (§ 15B-54)

Exclusion of evidence; staying proceedings; *DPP v Nthoi* (§ 15B-89)

Dishonesty; opinion; issues for judge or jury; *Hayes; Palombo* (§ 21-3)

Conspiracy; elements; belief; *Iqbal v City of Wolverhampton Council* (§ 33-4)