This chapter examines a notable feature of the English legal system that has waxed and waned over the last decades—civil preventive orders. These are orders that may be made by a court sitting as a civil court; orders that contain prohibitions created by the court as a response to conduct by the defendant; and orders the breach of which amounts to a criminal offence. Thus, civil preventive order involves a kind of hybrid or two-step process (first, the making of the order according to civil procedure and, secondly, criminal proceedings in the event of breach), which has several implications for the criminal process and for the rights of defendants. More recently their form has been altered and their use moderated.
13. Circumventing the trial through preventive orders

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