SCHEDULE Rule 2(3)

FORMS TO BE INSERTED IN THE MAGISTRATES' COURTS RULES (NORTHERN IRELAND) 1984

FORM 88AMAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 (Rules 149AR(1))CRIMINAL JUSTICE (EVIDENCE) (NORTHERN IRELAND) ORDER 2004 (Article 5)Application for leave to adduce evidence of non-defendant's bad character

of of	Complainant.	Petty Sessions District of County Court Division of
	Defendant	
Deteils requ	ired	Notes
Details of a	pplicant	
Name:		
Address:		
Case details	ş	
Court venue	:	The venue of the court hearing the case.
Date of next	гошт арреагалое	
Charges:		Give brief details (including date and location of offence) of those charges to which this application applies.
Name of the	PSNI Central Process Office:	
Central Prod reference mi	ress Office or District Command Ur imber:	pit
DPP referen	ce number:	
Details of the	he application	

Details of the application

Please provide the following details:

· the particulars of the earlich aracter evidence including how it is to be adduced or eligited in the proceedings (including the names of the relevant non-defendant and other relevant witnesses); and

Article 5 of the 2004 Order.

Details respured	Notes
 the grounds for the admission of evidence of a non-defendant's bad character under Article 5 of the 2004 Order. 	Please attach any relevant documentation.
Extension of time for service	
Please indicate whether you are applying for an extension of time for service.	
If the answer is yes, please state your reasons:	
Dated this day of 20 .	
Applicant	

To the Clerk of Petty Sessions for the petty sessions district of

And to

(Insert names and addresses of each of the other terries to the proceedings).

NOTE

This form should be served on the clerk of potty sessions and on every other party to the proceedings -

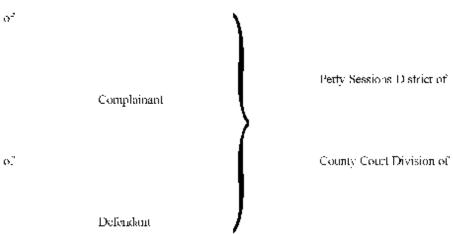
- within 14 days from the date on which the prosecutor has complied or purported to comply with section 3 of the Criminal Procedure and Investigations Act 1996 (disclosure by the prosecutor); or
- as soon as reasonably practicable, where the application concerns a non-defendant who is to be invited to give, or has given, evidence for a defendant.

The notice served on the clerk of perty sessions shall be endorsed with the date upon which and the manner in which notice was served on each of the other parties to the proceedings, and, where known, with the date on which the prosecutor has complied or purported to comply with section 3 of the Criminal Procedure and Investigations Act 1996.

Note to party who receives a copy of this application:

If you wish to oppose this application you are required within 14 days of the date the notice of the application was served on you, to notify the clerk of testly sessions and every other party to the proceedings, in Form 88B, of your opposition

FORM 88BMAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 (Rule 149AR(3))CRIMINAL JUSTICE (EVIDENCE) (NORTHERN IRELAND) ORDER 2004 (Article 5)Notice of opposition to the admission of evidence of a non-defendant's bad character



Delails required	Notes
Details of party giving notice	State the name and address of the party giving notice of their
Name	opposition to the admission of
Address:	evidence of a non-defendant's bad character (If in custody give address where detained)
Case details	
Court venue:	The venue of the court hearing the case.
Date of next court appearance:	
Charges:	Give brief details (including date and location of offence) of those charges to which this application applies.
Name of the PSNI Control Process Office	
Central Process Office or District Command Unit wikiwace mutukan	
DPP reference number:	
Details of the notice	
The details of the evidence of the non-defendant's bad character are as follows:	Give brief details of the evidence that you want to oppose the admission of. Spec.fy whether you oppose the admission of all or part of that evidence.

Details required	Notes
Grounds for opposing the admission of the non- defendant's bad character	Set out the grounds for opposing the admission of the evidence of the non-defendant's bad character.
	Any relevant skeleton argument or case law that might bear on the issue may be attached to this notice.
Extension of time	
Are you applying for an extension of time within which to give this notice?	
If the answer is yes, please state your reasons:	
Dated this day of 20 .	

To the Clerk of Petty Sessions for the petty sessions district of

And to

(Insert names and addresses of each of the other parties to the proceedings)

NOTE:

This form should be served on the clerk of petty sessions and on every other party to the proceedings within 14 days of the date on which the notice of intention to adduce evidence of a non-defendant's bac character was served.

(Sigmod)

FORM 88CMAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 (Rules 149AR(4) and (6))CRIMINAL JUSTICE (EVIDENCE) (NORTHERN IRELAND) ORDER 2004 (Article 6)Notice of intention to adduce evidence of defendant's bad character

Of Pt Complainant	etty Sessions District of
of Co	ounty Court Division of
Delendant	
Details required	Notes
Details of party giving notice Name:	
Address:	
Case defails	
Court venue	The venue of the court hearing the case.
Date of next court appearance:	· ·
Charges:	Crive brief details (including date and location of offence) of those charges to which this application applies.
Name of the PSNT Central Process Office	
Central Process Office or District Command Unit reference number:	
DPP reference in imber:	
Details of the notice	
To the named defendant:	
You are hereby given notice that bud character evidence, particulars of which are detailed below, is to be adduced or elicited in these proceedings.	
The particulars of that bad character evidence are as follows:	In this section include:
	(a) a description of the bod character evidence and how it is to

Details required	Notes
	be adduced or elicited in the proceedings (including the names of any relevant witnesses);
	(b) the grounds for the admission of evidence of the defendant's best character under Article 6 of the 2001 Order:
	(a) why the admission of that evidence is in the interests of justice, where Article 13 of the Order applies (evidence of conviction when weder 14 used in proceedings for offence committed as on adult).
	Please attach am relevant documentation.
Extension of time for service	
Please indicate whether you are applying for an extension of lime for service.	
If the answer is yes, please state your reasons:	
Dated this day of 20 .	
Applicant.	

NOTE:

This form should be served on the clerk of petry sessions and every other party to the proceedings.

Where the notice is given by the proseculor, it shall be served at the same time as the prosecutor complies or purports to comply with section 3 of the Criminal Procedure and Investigations Act 1996 (disclosure by the prosecutor).

Where the notice is given by a co-defendant, it shall be served within 14 days from the date on which the prosecutor has complied or purcorted to comply with section 3 of the Criminal Procedure and Investigations Act. 1996.

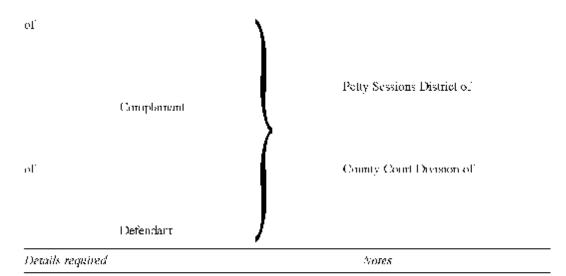
The notice served on the clerk of petty sessions shall be endorsed with the date upon which and the manner in which notice was served on each of the other parties to the proceedings, and, where known, with the date on which the prosecutor has complied or purported to comply with section 3 of the Criminal Procedure and Investigations Act 1996.

Note to defendant:

An application by a defendant to exclude bad character evidence shall be in Form 88D and shall be served on the clerk of petry sessions and on every other party to the proceedings within 7 days of the date the notice of intention to adduce the evidence of laid character was served on him.

FORM 88DMAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 (Rule 149AR(8))CRIMINAL JUSTICE (EVIDENCE) (NORTHERN IRELAND) ORDER 2004 (Article 6)Application to exclude evidence of defendant's bad character

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.



Details of the defendant

Name:

Address:

Date of birth:

If you are in oustedy, please give your prison number and the askiness of the establishment in which you are detained:

Case details

Court venue: The venue of the court hearing the case.

Date of next court appearance:

Charges: Give brief details (including date and

location of olience) of those charges to which this application applies

Name of the PSNI Central Process Office:

Central Process Office or District Command Unit reference number:

DPP reference number:

Date that you were served with the notice of intention to acklace had character evidence in these proceedings:

Dotails requir	ed		Notes
Details of the	application		
Include the fo	llowing information:		
such an ac		teter evidence would have irness of the proceedings it.	Note that an application to exclude this evidence under Article 6(3) of the 2004 Order can only be made if you have been notified of a party's intention to achieve this evidence under Article 6(1)(d) (it is relevant to an important matter in issue between the defendant and the prosecution) or Article 6(1)(g) (that the defendant has made an attack on another person's character).
the bad ch		between the matters to which tes and the matters which of arged.	Article 6(4) of the 2004 Order.
grounds o	applying for the excluder than Article 6(3) out such objections.	usion of this evidence on of the 2004 Order,	
Extension of	time for service		
Please indicate time for service		olying for an extension of	
If the answer i	is yes, please state yo	ur reasons:	
Dated this	day of	20 .	
		Defendant [Soliciter for Defe	ndant]

NOTE:

This form should be served on the elerk of petty sessions and on every other party to the proceedings within 7 days of the date on which the notice of intention to addice evidence of the defendant's had character was served on the defendant.

The notice served on the clerk of petty sessions shall be endorsed with the date upon which and the manner in which notice was served on each of the other parties to the proceedings.

FORM 88EMAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 (Rule 149AS(2) and (4))CRIMINAL JUSTICE (EVIDENCE) (NORTHERN IRELAND) ORDER 2004 (Article 18)Notice of intention to adduce hearsay evidence

of	
Complainant	Potty Sessions District of
of Defendant	County Court Division of
Details required	Notes
Details of party giving notice Name:	State the name and address of the party giving notice of hearsay evidence.
Address:	(If in custody give address where detained)
Case details	
Court venue:	The venue of the court hearing the case
Date of next court appearance:	
Charges:	Crive brief details (including date and location of offence) of those charges to which this application applies.
Name of the PSNI Central Process Office:	
Central Process Office or District Command Unit reference number:	
DPP reference number:	
Details of the notice	
To the named recipient of this notice:	
Thereby give you notice of my intention to adduce hearsay evidence, details of which are set out below, in these proceedings.	

Details required	d			Notes
Grounds for a	dmission of hearsay evidenc	e		Tick as appropriate.
On which of the to addrice hears	e following grounds do you it ay evidence?	ntend		
(a) Any statuto	ry provision makes it admissi	ble;		
	law preserved by Article 22, stage (Evidence) (Northern In :			Specify which provision of the 2004 Order or other statute, or which rule of law preserved by Article 22 you
(e) All parties t admissible;	to the proceedings agree to it or	being		rely on to adduce the evidence.
(d) It is in the it admissible.	nleres,s of justice for it to be			Where loss (d) is ticked, you must specify which of the factors set out
Further details o	of grounds.			in Article 18(2) of the 2004 Order you rely upon and explain how they are relevant.
Details of hear	say evidence			
The details of the	he hearsay evidence are as fol	llows:		Give brief details of the evidence that you want to adduce as hearsay evidence.
				A complete copy of that evidence must be attached to this notice. Any relevant skeleton argument or case law that might bear on the issue may be attached to this notice.
Extension of ti	me			
Are you applyingive this notice?	ng for an extension of time w	ithin which to		
If the answer is	yes, please state your reasons	8:		
Dated this	day of	20 . Applicant		
To the Clerk of	Petty Sessions for the petty s	essions distric	l of	
3 = 1.10				

NOTE:

Where the notice is given by the prosecutor, it shall be served at the same time as the prosecutor complies or purports to comply with section 3 of the Criminal Procedure and Investigations Act 1996 (disclosure by the prosecutor)

(Insert names and addresses of each of the other parties to the proceedings)

Where the notice is given by a defendant, it shall be served within 14 days from the date on which the prosecutor has compled or purported to comply with section 3 of the Crimmal Procedure and Investigations Act 1996.

The notice served on the clerk of petry sessions shall be endorsed with the date upon which and the manner in which notice was served on each of the other parties to the proceedings, and, where known, with the date on which the prosecutor has complied or purported to comply with section 3 of the Criminal Procedure and Investigations Act 1996.

Note to party who receives a copy of this application:

If you wish to oppose this application you are required within 14 days of the date the notice of the application was served on you, to serve notice in form 881 on the clerk of petty sessions and every other early to the proceedings of your opposition, giving reasons for it.

FORM 88FMAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 (Rule 149AS(6))CRIMINAL JUSTICE (EVIDENCE) (NORTHERN IRELAND) ORDER 2004 (Article 18)Notice of opposition to the admission of hearsay evidence

Compla nant	tty Sessions District of surty Court Div sion of
Details required	Notes
Details of party giving notice Name:	State the name and address of the party giving notice of their opposition to the admission of
Address:	hearsay evidence. (If in custody give address where detained)
Case details	
Court venue:	The venue of the court hearing the case.
Date of next court appearance:	
Charges:	Or we brief details (including date and location of offence) of those charges to which this application applies.
Name of the PSNI Central Process Office:	
Central Process Office or District Command Unit reference number.	
DPP reference number:	
Details of the natice	
The details of the hearsay evidence are as follows:	Give brief details of the evidence that you want to exclude from the proceedings. Specify whether you object to all or part of that evidence
Grounds for excluding hearsay evidence	Set out the grounds for evoluding the hearsay evidence that you object to.

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Details required	Notes
	Any relevant skeleton argument or case law that might bear on the issue may be attached to this notice.
Extension of time	
Are you applying for an extension of time within which to give this notice?	
If the answer is yes, please state your reasons:	

To the Clerk of Petry Sessions for the petry sessions district of

And to

(Insert names and addresses of each of the other parties to the proceedings)

NOTE:

This form should be served on the clerk of petty sessions and every other party to the proceedings within 14 days of the date on which the notice of intention to adduce hearsay evidence was served.

(Signed)