Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART VIII

EVIDENCE IN CRIMINAL PROCEEDINGS—GENERAL

Part VIII—supplementary

82 Part VIII-interpretation

(1) In this Part of this Act—

" confession ", includes any statement wholly or partly adverse to the person who made it, whether made to a person in authority or not and whether made in words or otherwise;

" court-martial" means a court-martial constituted under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957 or a disciplinary court constituted under section 50 of the said Act of 1957 ;

" proceedings " means criminal proceedings, including—

(a) proceedings in the United Kingdom or elsewhere before a court-martial constituted under the Army Act 1955 or the Air Force Act 1955 ;

(b) proceedings in the United Kingdom or elsewhere before the Courts-Martial Appeal Court—

(i) on an appeal from a court-martial so constituted or from a court-martial constituted under the Naval Discipline Act 1957 ; or

(ii) on a reference under section 34 of the Courts Martial (Appeals) Act 1968 ; and

(b) proceedings before a Standing Civilian Court; and

"Service court" means a court-martial or a Standing Civilian Court.

(2) In this Part of this Act references to conviction before a Service court are references—

(a) as regards a court-martial constituted under the Army Act 1955 or the Air Force Act 1955, to a finding of guilty which is, or falls to be treated as, a finding of the court duly confirmed ;

(b) as regards—

(i) a court-martial; or

(ii) a disciplinary court,

constituted under the Naval Discipline Act 1957, to a finding of guilty which is, or falls to be treated as, the finding of the court;

and " convicted " shall be construed accordingly.

(3) Nothing in this Part of this Act shall prejudice any power of a court to exclude evidence (whether by preventing questions from being put or otherwise) at its discretion.