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STATUTORY INSTRUMENTS

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**2004 No. 1500**

**The Criminal Justice (Northern Ireland) Order 2004**

**PART IV N.I.**

**PROSECUTION APPEALS**

*Right of appeal in respect of evidentiary rulings*

**Determination of appeal by Court of Appeal N.I.**

**25.**—(1) On an appeal under Article 21, the Court of Appeal may confirm, reverse or vary any ruling to which the appeal relates.

(2) In addition, the Court of Appeal must, in respect of the offence or each offence which is the subject of the appeal, do any of the following—

- (a) order that proceedings for that offence be resumed in the Crown Court;
- (b) order that a fresh trial may take place in the Crown Court for that offence;
- (c) order that the defendant in relation to that offence be acquitted of that offence.

(3) But no order may be made under paragraph (2)(c) in respect of an offence unless the prosecution has indicated that it does not intend to continue with the prosecution of that offence.

**Changes to legislation:**

The Criminal Justice (Northern Ireland) Order 2004, Section 25 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 4 para. 7A inserted by [S.I. 2008/1769 \(N.I.\) Sch. 1 para. 33\(2\)](#) (Amendment not applied due to drafting error by 2008 1769 (N.I. 2) - the amended provision should read Sch. 2 para. 7A (not Sch. 4 para. 7A). This error has been reported to the relevant Department for correction in due course.)
- Sch. 4 para. 10A inserted by [S.I. 2008/1769 \(N.I.\) Sch. 1 para. 33\(3\)](#) (Amendment not applied due to drafting error by 2008 1769 (N.I. 2) - the amended provision should read Sch. 2 para. 10A (not Sch. 4 para. 10A). This error has been reported to the relevant Department for correction in due course.)
- art. 11A inserted by [2015 c. 9 \(N.I.\) s. 52\(3\)](#)
- art. 14(2)(aa) inserted by [2015 c. 9 \(N.I.\) s. 52\(6\)](#)