

# CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 2004

S.I. 2004 No. 1500 (N.I. 9)

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## EXPLANATORY MEMORANDUM

### COMMENTARY ON ARTICLES

#### Part IV - Prosecution appeals

##### Right of appeal in respect of evidentiary rulings

42. **Article 21** provides that the prosecution may appeal either a single or two or more evidentiary rulings. Like the right of appeal in Article 17, this right of appeal will only be available to the prosecution. An evidentiary ruling is a ruling which relates to the admissibility or exclusion of any prosecution evidence. The prosecution must inform the court that it intends to appeal an evidentiary ruling before the opening of the case for the defence. The right to appeal only arises in respect of certain qualifying offences. These offences are generally grave offences and are set out in Schedule 2.