

**EXPLANATORY MEMORANDUM**

**CRIMINAL JUSTICE (EVIDENCE)  
(NORTHERN IRELAND) ORDER 2004**

**INTRODUCTION**

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**HUMAN RIGHTS ISSUES**

**MAIN ELEMENTS OF THE ORDER**

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**“Bad character”**

**Abolition of common law rules**

**Non-defendant’s bad character**

**Defendant’s bad character**

**“Important explanatory evidence”**

**“Matter in issue between the defendant and the prosecution”**

**“Matter in issue between a defendant and co-defendant”**

**“Evidence to correct a false impression”**

**“Attack on another person’s character”**

**Stopping the case where evidence contaminated**

**Offences committed by a defendant when a child**

**Assumption of truth in assessment of relevance or probative value**

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**Preservation of certain common law rules in relation to hearsay**

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**Confessions**

**Representations other than by a person**

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**Proof of statements in documents**

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**PART IV: OTHER EVIDENCE**

**Evidence by video recording**

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**Use of documents to refresh memory**

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*This Explanatory Memorandum refers to the Criminal  
Justice (Evidence) (Northern Ireland) Order 2004 No. 1501*

**Saving**

**Supplementary and consequential provisions**

**Orders**

**Consequential amendments and repeals**

**COMMENCEMENT**