



# Civil Evidence Act 1968

## 1968 CHAPTER 64

### PART II

#### MISCELLANEOUS AND GENERAL

##### *Convictions, etc. as evidence in civil proceedings*

#### **11 Convictions as evidence in civil proceedings.**

- (1) In any civil proceedings the fact that a person has been convicted of an offence by or before any court in the United Kingdom or [<sup>F1</sup>of a service offence (anywhere)] shall (subject to subsection (3) below) be admissible in evidence for the purpose of proving, where to do so is relevant to any issue in those proceedings, that he committed that offence, whether he was so convicted upon a plea of guilty or otherwise and whether or not he is a party to the civil proceedings; but no conviction other than a subsisting one shall be admissible in evidence by virtue of this section.
- (2) In any civil proceedings in which by virtue of this section a person is proved to have been convicted of an offence by or before any court in the United Kingdom or [<sup>F2</sup>of a service offence]—
  - (a) he shall be taken to have committed that offence unless the contrary is proved; and
  - (b) without prejudice to the reception of any other admissible evidence for the purpose of identifying the facts on which the conviction was based, the contents of any document which is admissible as evidence of the conviction, and the contents of the information, complaint, indictment or charge-sheet on which the person in question was convicted, shall be admissible in evidence for that purpose.
- (3) Nothing in this section shall prejudice the operation of section 13 of this Act or any other enactment whereby a conviction or a finding of fact in any criminal proceedings is for the purposes of any other proceedings made conclusive evidence of any fact.

*Changes to legislation: There are currently no known outstanding effects for the Civil Evidence Act 1968, Section 11. (See end of Document for details)*

- (4) Where in any civil proceedings the contents of any document are admissible in evidence by virtue of subsection (2) above, a copy of that document, or of the material part thereof, purporting to be certified or otherwise authenticated by or on behalf of the court or authority having custody of that document shall be admissible in evidence and shall be taken to be a true copy of that document or part unless the contrary is shown.
- (5) Nothing in any of the following enactments, that is to say—
- (a) [<sup>F3</sup>section 82 of the Sentencing Code] (under which a conviction leading to <sup>F4</sup>. . . discharge is to be disregarded except as therein mentioned);
  - [<sup>F5</sup>(aa) section 187 of the Armed Forces Act 2006 (which makes similar provision in respect of service convictions);]
  - (b) [<sup>F6</sup>section 191 of the <sup>M1</sup>Criminal Procedure (Scotland) Act 1975] (which makes similar provision in respect of convictions on indictment in Scotland); and
  - (c) section 8 of the <sup>M2</sup>Probation Act (Northern Ireland) 1950 (which corresponds to the said section 12) or any corresponding enactment of the Parliament of Northern Ireland for the time being in force,
- shall affect the operation of this section; and for the purposes of this section any order made by a court of summary jurisdiction in Scotland under [<sup>F6</sup>section 383 or section 384 of the said Act of 1975] shall be treated as a conviction.

[<sup>F7</sup>(7) In this section—

“service offence” has the same meaning as in the Armed Forces Act 2006;  
“conviction” includes anything that under section 376(1) and (2) of that Act is to be treated as a conviction, and “convicted” is to be read accordingly.]

#### Textual Amendments

- F1** Words in s. 11(1) substituted (28.3.2009 for certain purposes and otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383(2), [Sch. 16 para. 51\(2\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)
- F2** Words in s. 11(2) substituted (28.3.2009 for certain purposes and otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383(2), [Sch. 16 para. 51\(3\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)
- F3** Words in s. 11(5)(a) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 20](#) (with [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)
- F4** Words in s. 11(5)(a) repealed (1.10.1992) by [Criminal Justice Act 1991 \(c. 53\)](#), SIF 39:1, ss. 100, 101(2), [Sch. 11 para. 5](#), [Sch. 13](#); S.I. 1992/333, [art. 2\(2\)](#), [Sch. 2](#)
- F5** S. 11(5)(aa) inserted (28.3.2009 for certain purposes and otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383(2), [Sch. 16 para. 51\(4\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)
- F6** Words substituted by virtue of [Interpretation Act 1889 \(c. 63\)](#), [s. 38\(1\)](#)
- F7** S. 11(7) substituted (28.3.2009 for certain purposes and otherwise 31.10.2009) for s. 11(6) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383(2), [Sch. 16 para. 51\(5\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)

#### Modifications etc. (not altering text)

- C1** S. 11 extended by [S.R. 1983/153](#), [art. 18](#) and S.I. 1983/887, [art. 18](#)
- C2** S. 11 extended by [Fair Trading Act 1973 \(c.41\)](#), [s. 36\(1\)](#)  
S. 11 extended (20.6.2003) by [2002 c. 40](#), ss. 228(1)(a), 279; S.I. 2003/1397, [art. 2\(1\)](#), [Sch.](#)

---

**Changes to legislation:** *There are currently no known outstanding effects for the Civil Evidence Act 1968, Section 11. (See end of Document for details)*

---

- C3** S. 11 modified (24.4.2009 for certain purposes and otherwise 31.10.2009) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(2)(3), 205, **Sch. 1 para. 11(1)**
- C4** S. 11(5)(aa) modified (24.4.2009 for certain purposes and otherwise 31.10.2009) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(2)(3), 205, **Sch. 1 para. 11(2)**

---

**Marginal Citations**

- M1** 1975 c. 21.
- M2** 1950 c. 7 (N.I.)

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Evidence Act 1968, Section 11.