



# Criminal Appeal Act 1995

## 1995 CHAPTER 35

### PART I

#### THE COURT OF APPEAL

#### **1 Leave to appeal etc.**

- (1) In the <sup>M1</sup>Criminal Appeal Act 1968 (“the 1968 Act”), in section 1 (appeal against conviction), for subsection (2) (requirement of leave to appeal or certificate of trial judge unless appeal involves question of law only) substitute—

“(2) An appeal under this section lies only—

- (a) with the leave of the Court of Appeal; or
- (b) if the judge of the court of trial grants a certificate that the case is fit for appeal.”

- (2) In the <sup>M2</sup>Criminal Appeal (Northern Ireland) Act 1980 (“the 1980 Act”), in section 1 (appeal against conviction subject to requirement of leave to appeal or certificate of trial judge unless appeal involves question of law only), for the words from “conviction” to the end substitute “conviction—

- (a) with the leave of the Court; or
- (b) if the judge of the court of trial grants a certificate that the case is fit for appeal.”

- (3) In section 12 of the 1968 Act (appeal against verdict of not guilty by reason of insanity subject to requirement of leave to appeal or certificate of trial judge unless appeal involves question of law only), for the words from “against the verdict” to the end substitute “against the verdict—

- (a) with the leave of the Court of Appeal; or
- (b) if the judge of the court of trial grants a certificate that the case is fit for appeal.”

- (4) In section 12(1) of the 1980 Act (appeal against finding of not guilty on ground of insanity subject to requirement of leave to appeal or certificate of trial judge unless

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Appeal Act 1995, Section 1. (See end of Document for details)*

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appeal involves question of law only), for the words from “against that finding” to the end substitute “to the Court of Appeal against the finding—

- (a) with the leave of the Court; or
- (b) if the judge of the court of trial grants a certificate that the case is fit for appeal.”

- (5) In section 15 of the 1968 Act (appeal against finding of disability), for subsection (2) (requirement of leave to appeal or certificate of trial judge unless appeal involves question of law only) substitute—

“(2) An appeal under this section lies only—

- (a) with the leave of the Court of Appeal; or
- (b) if the judge of the court of trial grants a certificate that the case is fit for appeal.”

- (6) In section 13A of the 1980 Act (appeal against finding of unfitness to be tried), for subsection (2) (requirement of leave to appeal or certificate of trial judge unless appeal involves question of law only) substitute—

“(2) An appeal under this section lies only—

- (a) with the leave of the Court; or
- (b) if the judge of the court of trial grants a certificate that the case is fit for appeal.”

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**Marginal Citations**

**M1** 1968 c. 19.

**M2** 1980 c. 47.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Appeal Act 1995, Section 1.