



Criminal Procedure and Investigations Act 1996

1996 CHAPTER 25

PART VII

MISCELLANEOUS AND GENERAL

Tainted acquittals

54 Acquittals tainted by intimidation etc

- (1) This section applies where—
 - (a) a person has been acquitted of an offence, and
 - (b) a person has been convicted of an administration of justice offence involving interference with or intimidation of a juror or a witness (or potential witness) in any proceedings which led to the acquittal.
- (2) Where it appears to the court before which the person was convicted that—
 - (a) there is a real possibility that, but for the interference or intimidation, the acquitted person would not have been acquitted, and
 - (b) subsection (5) does not apply,the court shall certify that it so appears.
- (3) Where a court certifies under subsection (2) an application may be made to the High Court for an order quashing the acquittal, and the Court shall make the order if (but shall not do so unless) the four conditions in section 55 are satisfied.
- (4) Where an order is made under subsection (3) proceedings may be taken against the acquitted person for the offence of which he was acquitted.
- (5) This subsection applies if, because of lapse of time or for any other reason, it would be contrary to the interests of justice to take proceedings against the acquitted person for the offence of which he was acquitted.

Status: This is the original version (as it was originally enacted).

- (6) For the purposes of this section the following offences are administration of justice offences—
- (a) the offence of perverting the course of justice;
 - (b) the offence under section 51(1) of the Criminal Justice and Public Order Act 1994 (intimidation etc. of witnesses, jurors and others);
 - (c) an offence of aiding, abetting, counselling, procuring, suborning or inciting another person to commit an offence under section 1 of the Perjury Act 1911.
- (7) This section applies in relation to acquittals in respect of offences alleged to be committed on or after the appointed day.
- (8) The reference in subsection (7) to the appointed day is to such day as is appointed for the purposes of this section by the Secretary of State by order.