

*These notes refer to the Criminal Justice Act 2003 (c.44)
which received Royal Assent on 20th November 2003*

CRIMINAL JUSTICE ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9: Prosecution Appeals

Section 57: Introduction

- 273. This section sets out certain basic criteria for a prosecution appeal under this Part of the Act. The right of appeal arises only in trials on indictment and lies to the Court of Appeal.
- 274. *Subsection (2)* sets out two further limitations on appeals under this Part. It prohibits the prosecution from appealing rulings on discharge of the jury and those rulings that may be appealed by the prosecution under other legislation, for example, appeals from preparatory hearings against rulings on admissibility of evidence and other points of law.
- 275. *Subsection (4)* provides that the prosecution must obtain leave to appeal, either from the judge or the Court of Appeal.