



Criminal Justice Act 2003

2003 CHAPTER 44

PART 11

EVIDENCE

CHAPTER 1

EVIDENCE OF BAD CHARACTER

Defendants

106 “Attack on another person’s character”

- (1) For the purposes of section 101(1)(g) a defendant makes an attack on another person’s character if—
- (a) he adduces evidence attacking the other person’s character,
 - (b) he (or any legal representative appointed under section 38(4) of the Youth Justice and Criminal Evidence Act 1999 (c. 23) to cross-examine a witness in his interests) asks questions in cross-examination that are intended to elicit such evidence, or are likely to do so, or
 - (c) evidence is given of an imputation about the other person made by the defendant—
 - (i) on being questioned under caution, before charge, about the offence with which he is charged, or
 - (ii) on being charged with the offence or officially informed that he might be prosecuted for it.
- (2) In subsection (1) “evidence attacking the other person’s character” means evidence to the effect that the other person—
- (a) has committed an offence (whether a different offence from the one with which the defendant is charged or the same one), or
 - (b) has behaved, or is disposed to behave, in a reprehensible way;

Status: Point in time view as at 15/12/2004.

Changes to legislation: Criminal Justice Act 2003, Section 106 is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

and “imputation about the other person” means an assertion to that effect.

(3) Only prosecution evidence is admissible under section 101(1)(g).

Status:

Point in time view as at 15/12/2004.

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