
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 68

**APPEAL TO THE COURT OF APPEAL
AGAINST CONVICTION OR SENTENCE**

Procedure for the admission of hearsay evidence

68.20.—(1) Part 34 applies where a party wants to introduce hearsay evidence in an appeal or application for leave to appeal, except for rules 34.2, 34.3 and 34.4 (relating to the notice of hearsay evidence).

(2) An appellant who wants to introduce hearsay evidence to support a ground of appeal contained in his notice under rule 68.3(2)—

- (a) must give notice in the form set out in the Practice Direction to the Crown Court officer with his notice of application for leave to appeal under rule 68.3(1); but
- (b) need not give a separate notice of application under rule 68.15(1) for that same evidence to be received by the court.

(3) A party who wants to introduce hearsay evidence in any other circumstances must give notice in the form set out in the Practice Direction to the Registrar and all other parties not more than 28 days after—

- (a) leave to appeal is given; or
- (b) notice of appeal is given, if leave is not required.

[Note: “Statements” and “matters stated” are defined in section 115 of the Criminal Justice Act 2003(1). “Oral evidence” is defined in section 134(1) of that Act. See also section 23 of the Criminal Appeal Act 1968 on the receipt of evidence by the Court of Appeal.]