
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 evidence of bad character

68.21. Part 35 applies to the introduction of evidence of bad character in proceedings before the Court of Appeal, except for rule 35.1 and with the following modifications—

- (a) a reference to a defendant should be read as a reference to an appellant, and “non-defendant” and “co-defendant” read accordingly;
- (b) a reference to a court officer should be read as a reference to the Registrar; and
- (c) an application under rule 35.2 (non-defendant’s bad character) must be received, and a notice under rule 35.4 or 35.5 (defendant’s bad character) must be given, not more than 28 days after—
 - (i) leave to appeal is given, or
 - (ii) notice of appeal is given, if leave is not required.

[Note. Formerly rule 9D of the Criminal Appeal Rules 1968.]