

CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 2004

S.I. 2004 No. 1500 (N.I. 9)

EXPLANATORY MEMORANDUM

COMMENTARY ON ARTICLES

Part IV - Prosecution appeals

General right of appeal in respect of rulings

34. **Article 17** sets out the procedure that must be followed when the prosecution wishes to appeal against a terminating ruling made by the judge. It covers rulings which are both terminating and that are de facto terminating in that sense that they are so fatal to the prosecution case that, in the absence of a right of appeal, the prosecution would offer no or no further evidence.
35. Where the prosecution fails to obtain leave to appeal or abandons the appeal, the prosecution must agree that an acquittal follow.