



Criminal Appeal Act 1968

CHAPTER 19

CRIMINAL APPEAL ACT 1968

PART I

APPEAL TO COURT OF APPEAL IN CRIMINAL CASES

Appeal against conviction on indictment

- 1 Right of appeal.
- 2 Grounds for allowing appeal under s. 1.
- 3 Power to substitute conviction of alternative offence.
- 3A Power to substitute conviction of alternative offence after guilty plea
- 4 Power to re-sentence where appellant remains convicted of related offences.
- 5 Disposal of appeal against conviction on special verdict.
- 6 Substitution of finding of insanity or findings of unfitness to plead etc.

Retrial

- 7 Power to order retrial.
- 8 Supplementary provisions as to retrial.

Appeal against sentence

- 9 Appeal against sentence following conviction on indictment.
- 10 Appeal against sentence in other cases dealt with at assizes or quarter sessions.
- 11 Supplementary provisions as to appeal against sentence.
- 11A Quashing of certain confiscation orders: supplementary

Status: Point in time view as at 25/03/2020.

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Appeal in cases of insanity

- 12 Appeal against verdict of not guilty by reason of insanity.
- 13 Disposal of appeal under s. 12.
- 14 Substitution of findings of unfitness to plead etc.
- 14A Substitution of verdict of acquittal.

Unfitness to stand trial

- 15 Right of appeal against finding of disability.
- 16 Disposal of appeal under s. 15.

Appeal against order made in cases of insanity or unfitness to plead

- 16A Right of appeal against hospital order etc.
- 16B Disposal of appeal under s. 16A

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- 16C Power to dismiss certain appeals following references by the CCRC

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- 17 Appeal to Court of Appeal in Criminal Cases

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- 18A Appeals in cases of contempt of court.
- 19 Bail.
- 20 Disposal of groundless appeal or application for leave to appeal.
- 21 Preparation of case for hearing.

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- 23 Evidence.
- 23A Power to order investigations.
- 24—28 Appeal to Court of Appeal in Criminal Cases

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- 30 Restitution of property.

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- 31A Powers of Court under Part I which are exercisable by registrar.
- 31B Procedural directions: powers of single judge and registrar
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PART II

APPEAL TO HOUSE OF LORDS FROM COURT OF APPEAL (CRIMINAL DIVISION)

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- 34 Application for leave to appeal.
- 35 Hearing and disposal of appeal.

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- 36 Bail on appeal by defendant.
- 37 Detention of defendant on appeal by the Crown.
- 37A Continuation of community treatment order on appeal by the Crown
- 38 Presence of defendant at hearing.
- 39—41 Matters preliminary to hearing

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- 43 Effect of appeal on sentence.
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- 44A Appeals in cases of death.

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- 45 Construction of references in Parts I and II to Court of Appeal and a single judge.
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- 48 Appeal in capital cases.
- 49 Saving for prerogative of mercy.
- 50 Meaning of “sentence”.
- 51 Interpretation.
- 52 Consequential amendment of enactments.
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SCHEDULE 1 —

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- 2
- 3

SCHEDULE 2 — Procedural and Other Provisions Applicable on Order for Retrial

Evidence

- 1 On a retrial, paragraphs 1 and 2 of Schedule 2...
- 2 Paragraph 5 of Schedule 3 to the Crime and Disorder...

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Sentence on conviction at retrial

- 2 (1) Where a person ordered to be retried is again...
- 3 Procedural and Other Provisions Applicable on Order for Retrial

SCHEDULE 3 — Application of Provisions in Part III of Mental Health Act 1983 where Order made under Section 16(3) of this Act

- 1 Application of Provisions in Part III of Mental Health Act 1983 where Order made under Section 16(3) of this Act

Order for continued detention under Act of 1983

- 2 Where an order is made by the Court of Appeal...

SCHEDULE 4 — Procedural and other Modifications for Capital Cases

Appeal to Court of Appeal

- 1
- 2

Appeal to Supreme Court

- 3
- 4

SCHEDULE 5 — Amendment of Enactments

Part I — MISCELLANEOUS CONSEQUENTIAL AMENDMENTS

...
...

The Sentence of Death (Expectant Mothers) Act 1931 (c. 24)

The Children and Young Persons Act (c. 12)

The Costs in Criminal Cases Act 1952 (c. 48)

Section 7 After the word “Act” there shall be inserted...

The Prison Act 1952 (c. 52)

The Geneva Conventions Act 1957 (c. 52)

(1) Where a protected prisoner of war or protected internee...

...
...

The Criminal Justice Administration Act 1962 (c. 15)

...

Part II — ...

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SCHEDULE 6 — Transitional Provisions

- 1 (1) Any right of appeal subsisting immediately before the commencement...
- 2 (1) In so far as any order made, direction given...
- 3 (1) The mention of particular matters in this Schedule shall...

SCHEDULE 7 — Repeals

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