



# Criminal Appeal (Northern Ireland) Act 1980

## 1980 CHAPTER 47

### PART I

#### APPEAL TO COURT OF APPEAL FROM CROWN COURT

##### *The hearing*

#### **26 Additional powers of Court.**

- (1) For the purposes of [<sup>F1</sup>an appeal [<sup>F2</sup>, or an application for leave to appeal,] under] this Part of this Act, the Court of Appeal may exercise any of the following powers, where it thinks it necessary or expedient in the interests of justice:—
  - (a) in the case of any witness whose attendances might be required under section 25(1)(b) above, the Court may order his examination to be conducted in the prescribed manner before a judge of the Court or before any other person appointed by the Court for the purpose, and allow the admission of any deposition so taken as evidence before the Court;
  - (b) where a question arising on an appeal involves prolonged examination of documents or accounts, or any scientific or local investigation, which cannot in the opinion of the Court conveniently be conducted before it, the Court may order the reference of the question in the prescribed manner for inquiry and report to a special commissioner appointed by the Court, and act upon the report of the commissioner so far as the Court thinks fit to adopt it;
  - (c) the Court may appoint a person with special expert knowledge to act as assessor to the Court in a case where it appears to the Court that such knowledge is required for the proper determination of the case.
- (2) The Court may, in relation to its proceedings, exercise any other powers which may for the time being be exercised by the Court on appeals in civil matters, and may issue any warrants necessary for enforcing the orders or sentences of the Court.

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**Changes to legislation:** *Criminal Appeal (Northern Ireland) Act 1980, Section 26 is up to date with all changes known to be in force on or before 07 May 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) View outstanding changes*

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#### **Textual Amendments**

- F1** Words in s. 26(1) inserted (1.1.1996) by 1995 c. 35, s. 29(1), **Sch. 2 para. 12(4)**; S.I. 1995/3061, **art. 3(h)**
- F2** Words in s. 26(1) inserted (14.7.2008) by **Criminal Justice and Immigration Act 2008 (c. 4)**, ss. 47, 153(7)(8), **Sch. 8 para. 23**; S.I. 2008/1586, **art. 2(1)(3)**, Sch. 1 para. 26 (subject to Sch. 2)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(3A) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 3\(3\)\(a\)](#)
- s. 7(3A) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 3\(3\)\(b\)](#)
- s. 7(3A) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 3\(3\)\(c\)](#)
- s. 36(3)(b) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(b\)\(i\)](#)
- s. 36(3)(b) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(b\)\(ii\)](#)
- s. 36(3)(c) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(c\)\(i\)](#)
- s. 36(3)(c) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(c\)\(ii\)](#)