



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART VIII

EVIDENCE IN CRIMINAL PROCEEDINGS—GENERAL

Convictions and acquittals

74 Conviction as evidence of commission of offence.

- (1) In any proceedings the fact that a person other than the accused has been convicted of an offence by or before any court in the United Kingdom ^{F1}... or by a Service court outside the United Kingdom shall be admissible in evidence for the purpose of proving, [^{F2}that that person committed that offence, where evidence of his having done so is admissible], whether or not any other evidence of his having committed that offence is given.
- (2) In any proceedings in which by virtue of this section a person other than the accused is proved to have been convicted of an offence by or before any court in the United Kingdom ^{F3}... or by a Service court outside the United Kingdom, he shall be taken to have committed that offence unless the contrary is proved.
- (3) In any proceedings where evidence is admissible of the fact that the accused has committed an offence, ^{F4}... , if the accused is proved to have been convicted of the offence—
 - (a) by or before any court in the United Kingdom ^{F5}...; or
 - (b) by a Service court outside the United Kingdom,he shall be taken to have committed that offence unless the contrary is proved.
- (4) Nothing in this section shall prejudice—
 - (a) the admissibility in evidence of any conviction which would be admissible apart from this section; or
 - (b) the operation of any enactment whereby a conviction or a finding of fact in any proceedings is for the purposes of any other proceedings made conclusive evidence of any fact.

Status: Point in time view as at 31/12/2020.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 74 is up to date with all changes known to be in force on or before 09 June 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)

Textual Amendments

- F1** Words in s. 74(1) omitted (31.12.2020) by virtue of [The Criminal Justice \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/780\)](#), regs. 1(1), **29(3)(a)** (with reg. 31) (as amended by S.I. 2020/1520, regs. 1(1), 7); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 74(1) substituted (15.12.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), 331, 336, {Sch. 36 para. 85(2)}; S.I. 2004/3033, **art. 3(1)(2)(d)**
- F3** Words in s. 74(2) omitted (31.12.2020) by virtue of [The Criminal Justice \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/780\)](#), regs. 1(1), **29(3)(b)** (with reg. 31) (as amended by S.I. 2020/1520, regs. 1(1), 7); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in s. 74(3) repealed (15.12.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 331, 332, 336, Sch. 36 para. 85(3), **Sch. 37 Pt. 5**; S.I. 2004/3033, **art. 3(1)(2)(d)(e)(i)**
- F5** Words in s. 74(3)(a) omitted (31.12.2020) by virtue of [The Criminal Justice \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/780\)](#), regs. 1(1), **29(3)(c)** (with reg. 31) (as amended by S.I. 2020/1520, regs. 1(1), 7); 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C1** S. 74 modified (2.10.2000) by S.I. 2000/2370, rule 27(2), **Sch. 3 Pt. III para. 18(b)**
 S. 74 modified (2.10.2000) by S.I. 2000/2371, rule 27(2), **Sch. 3 Pt. III para. 18(b)**
 S. 74 modified (2.10.2000) by S.I. 2000/2372, rule 27(2), **Sch. 3 Pt. III para. 18(b)**

Status:

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