



Criminal Justice Act 2003

2003 CHAPTER 44

PART 11

EVIDENCE

CHAPTER 1

EVIDENCE OF BAD CHARACTER

General

112 Interpretation of Chapter 1

(1) In this Chapter—

“bad character” is to be read in accordance with section 98;

“criminal proceedings” means criminal proceedings in relation to which the strict rules of evidence apply;

“defendant”, in relation to criminal proceedings, means a person charged with an offence in those proceedings; and “co-defendant”, in relation to a defendant, means a person charged with an offence in the same proceedings;

“important matter” means a matter of substantial importance in the context of the case as a whole;

“misconduct” means the commission of an offence or other reprehensible behaviour;

“offence” includes a service offence;

“probative value”, and “relevant” (in relation to an item of evidence), are to be read in accordance with section 109;

“prosecution evidence” means evidence which is to be (or has been) adduced by the prosecution, or which a witness is to be invited to give (or has given) in cross-examination by the prosecution;

Status: This is the original version (as it was originally enacted).

“service offence” means an offence under the [Army Act 1955 \(3 & 4 Eliz. 2 c. 18\)](#), the [Air Force Act 1955 \(3 & 4 Eliz. 2 c. 19\)](#) or the [Naval Discipline Act 1957 \(c. 53\)](#);

“written charge” has the same meaning as in section 29 and also includes an information.

- (2) Where a defendant is charged with two or more offences in the same criminal proceedings, this Chapter (except section 101(3)) has effect as if each offence were charged in separate proceedings; and references to the offence with which the defendant is charged are to be read accordingly.
- (3) Nothing in this Chapter affects the exclusion of evidence—
- (a) under the rule in section 3 of the [Criminal Procedure Act 1865 \(c. 18\)](#) against a party impeaching the credit of his own witness by general evidence of bad character,
 - (b) under section 41 of the [Youth Justice and Criminal Evidence Act 1999 \(c. 23\)](#) (restriction on evidence or questions about complainant’s sexual history), or
 - (c) on grounds other than the fact that it is evidence of a person’s bad character.