

SCHEDULE

Rule 3

Form TAM 1

(INSERT COURT NAME)

Code (INSERT COURT CODE)

(INSERT COURT ADDRESS)

(INSERT COURT TELEPHONE AND FAX NUMBERS)

(INSERT OPENING HOURS, CONTACT NAME/TITLE AND OTHER USEFUL INFORMATION)

Certification of Tainted Acquittal

(insert person acquitted)

Born: (insert date of birth)

(insert address)

The (insert original court) on (insert acquittal date) found (insert person acquitted), the acquitted person not guilty of an (certain) offence(s), namely (insert offence details).

This court today (on (insert conviction date)) has now found (insert name of person convicted), the convicted person, guilty of (insert offence details) being an administration of justice offence for the purposes of section 54 of the Criminal Procedure and Investigations Act 1996, involving interference with or intimidation of a juror or a witness (or potential witness) in proceedings which led to the acquittal of (insert person acquitted).

This court certifies under subsection (2) of section 54 of the Criminal Procedure and Investigations Act 1996 that it appears to the Court that:

(1) there is a real possibility that, but for the interference or intimidation involved in the offence of which (insert person convicted) is (was) convicted, (insert person acquitted) would not have been acquitted, and

(2) subsection (5) of section 54 of the Criminal Procedure and Investigations Act 1996 does not apply.*

Date

Clerk of the Court

NOTE that where a court certifies under subsection (2) of section 54 of the Criminal Procedure and Investigations Act 1996, an application may be made to the High Court for an order quashing the acquittal. In that event, the acquitted person will be given a reasonable opportunity to make written representations to the Court.

*subsection (5) applies if, because of lapse of time or for any other reason, it would be contrary to the interests of justice to take proceedings against the acquitted person for the offence of which he was acquitted.

To: (1) the acquitted person (2) the prosecutor in the proceedings which led to the acquittal (3) the Clerk to the Justices/appropriate officer at the court at which the person concerned was acquitted.

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