
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 35

EVIDENCE OF BAD CHARACTER

Introducing evidence of non-defendant's bad character

35.2. A party who wants to introduce evidence of a non-defendant's bad character or who wants to cross-examine a witness with a view to eliciting that evidence, under section 100 of the Criminal Justice Act 2003 must apply in the form set out in the Practice Direction and the application must be received by the court officer and all other parties to the proceedings—

- (a) not more than 14 days after the prosecutor has complied or purported to comply with section 3 of the Criminal Procedure and Investigations Act 1996(1) (disclosure by the prosecutor); or
- (b) as soon as reasonably practicable, where the application concerns a non-defendant who is to be invited to give (or has given) evidence for a defendant.

[Note. Formerly rule 72A(1) of the Magistrates' Courts Rules 1981(2) and rule 23E(1) of the Crown Court Rules 1982(3).]

(1) 1996 c. 25; section 3 is amended the Regulation of Investigatory Powers Act 2000 (c. 23), Schedule 4, paragraph 7(1). It is further amended by the Criminal Justice Act 2003 (c. 44), section 32 and Schedule 36, Part 3, paragraphs 20 and 21, with effect from a date to be appointed.

(2) S.I. 1981/552; amended by S.I. 2004/2993; there are other amending instruments but none is relevant to this Part.

(3) S.I. 1982/1109, amended by S.I. 2004/2991; there are other amending instruments but none is relevant to this Part.