
STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 68

APPEAL TO THE COURT OF APPEAL ABOUT CONVICTION OR SENTENCE

Adaptation of rules about introducing evidence

68.7.—(1) The following Parts apply with such adaptations as the court or the Registrar may direct—

- (a) Part 29 (special measures directions);
- (b) Part 30 (use of live television link other than for vulnerable witnesses);
- (c) Part 34 (hearsay evidence);
- (d) Part 35 (evidence of bad character); and
- (e) Part 36 (evidence of a complainant's previous sexual behaviour).

(2) But the general rule is that—

- (a) a respondent who opposes an appellant's application to which one of those Parts applies must do so in the respondent's notice, with reasons;
- (b) an appellant who opposes a respondent's application to which one of those Parts applies must serve notice, with reasons, on—
 - (i) the Registrar, and
 - (ii) the respondentnot more than 14 days after service of the respondent's notice; and
- (c) the court or the Registrar may give directions with or without a hearing.

[Note. An application to introduce evidence or for directions about evidence must be included in, or attached to, an appeal notice or a respondent's notice: see rule 68.3 and 68.6(6).]

Under section 23 of the Criminal Appeal Act 1968(1), the Court of Appeal may allow the introduction of evidence that was not introduced at trial.

See also Part 27 (witness statements) and Part 33 (expert evidence).]

(1) 1968 c. 19; section 23 was amended by sections 4 and 29 of, and paragraph 4 of Schedule 2 to, the Criminal Appeal Act 1995 (c. 35), section 48 of the Police and Justice Act 2006 (c. 48) and section 47 of, and paragraphs 1 and 10 of Schedule 8 to, the Criminal Justice and Immigration Act 2008 (c. 4).