

**APPLICATION TO INTRODUCE EVIDENCE OF A NON-DEFENDANT'S  
BAD CHARACTER**

*(Criminal Procedure Rules, rule 21.3)*

**Case details**

Name of defendant:

Court:

Case reference number:

Charge(s):

**This is an application by [the prosecutor]**

[ ..... (name of defendant)]

**I want to introduce evidence of the bad character of ..... (non-defendant's name) on the following ground(s) in the Criminal Justice Act 2003:**

**it is important explanatory evidence: s.100(1)(a).**

**it has substantial probative value in relation to a matter which:**

**(a) is a matter in issue in the proceedings, and**

**(b) is of substantial importance in the context of the case as a whole:  
s.100(1)(b).**

**How to use this form**

**1. Complete the boxes above and give the details required in the boxes below.** If you use an electronic version of this form, the boxes will expand. If you use a paper version and need more space, you may attach extra sheets.

**2. Sign and date the completed form.**

**3. Send a copy of the completed form to:**

**(a) the court, and**

**(b) each other party to the case.**

**Notes:**

1. You must send this form so as to reach the recipients within the time prescribed by Criminal Procedure Rule 21.3(3). The court may extend that time limit, **but if you are late you must explain why.**

2. A party who objects to the introduction of the evidence must serve notice under Criminal Procedure Rule 21.3(4) **not more than 14 days after service of this application.**

**1) Facts of the misconduct.** If the misconduct is a previous conviction, explain whether you rely on (a) the fact of that conviction, or (b) the circumstances of that offence. If (b), set out the facts on which you rely.

**2) How you will prove those facts, if in dispute.** A party who objects to the introduction of the evidence must explain which, if any, of the facts set out above are in dispute. Explain in outline on what you will then rely to prove those facts, e.g. whether you rely on (a) a certificate of conviction, (b) another official record (and if so, which), or (c) other evidence (and if so, what).

**3) Reasons why the evidence is admissible.** Explain why the evidence is admissible, by reference to the provision(s) of the Criminal Justice Act 2003 on which you rely.

**4) Reasons for any extension of time required.** If this application is served late, explain why.

Signed: ..... [prosecutor]  
[defendant / defendant's solicitor]

Date: .....