

**APPLICATION TO EXCLUDE EVIDENCE OF A DEFENDANT'S
BAD CHARACTER**

(Criminal Procedure Rules, rule 21.4(5))

Case details

Name of defendant:

Court:

Case reference number:

Charge(s):

This is an application by [the prosecutor]

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

I object to the introduction of the evidence of which [the prosecutor]

[..... (name of co-defendant)] served notice on

(date) because:

- that evidence is not admissible.**
- I am the defendant named in that notice and it would be unfair to admit that evidence.**
- I object to the notice for the other reason(s) explained below.**

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.**

Note:

You must send this form so as to reach the recipients not more than 14 days after service of the notice to which you object. The court may extend that time limit, **but if you are late you must explain why.**

1) Facts of the misconduct in dispute. Whatever reasons you have for objecting to the notice, explain (a) which, if any, facts of the misconduct set out in it you dispute, and (b) what, if any, facts you admit instead.

2) Reasons for objecting to the notice. Explain, as applicable:

(a) why the bad character evidence is not admissible, by reference to the provision(s) of the Criminal Justice Act 2003 relied on in the notice.

(b) if you are the defendant named in the notice, why it would be unfair to admit the evidence. (You can object on this ground under section 101(3) of the Criminal Justice Act 2003 only if the notice gives as grounds for admitting the evidence (i) that it is relevant to an important matter in issue between you and the prosecution, or (ii) that you have made an attack on another person's character.)

(c) what other objection you have to the notice.

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

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

Date: