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STATUTORY INSTRUMENTS

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**1977 No. 1247**

**Criminal Damage (Compensation)  
(Northern Ireland) Order 1977**

**Evidence**

**18.**—(1) In any application or appeal under this Order—

- (a) the fact that a person has been convicted of an offence by or before any court in the British Islands shall be admissible in evidence for the purpose of proving the acts, omissions or conduct on which the conviction was based, whether he was so convicted upon a plea of guilty or otherwise, but no conviction other than a subsisting conviction shall be admissible in evidence;
- (b) in which a person is proved to have been convicted of an offence by or before any court in the British Islands—
  - (i) he shall be taken to have been guilty of the acts, omissions or conduct on which the conviction was based, except in so far as the contrary is proved; and
  - (ii) without prejudice to the reception of any other admissible evidence for the purpose of identifying the acts, omissions or conduct on which the conviction was based, the contents of any document which is admissible as evidence of the conviction shall be admissible in evidence for that purpose.

(2) In paragraph (1)—

“conduct” includes the state of mind or manner in which anything was done or omitted;

“conviction” includes,<sup>F1</sup> . . . , a conviction for an offence in respect of which an order is made under that Act placing the offender on probation or discharging him absolutely or conditionally;

“court” includes a court-martial;

“subsisting conviction” includes, where a conviction for an offence has been replaced on appeal by a conviction for another offence, the conviction for that other offence.

**F1** 1996 NI 24

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Damage (Compensation) (Northern Ireland) Order 1977, Section 18.