



# Civil Evidence Act 1968

## 1968 CHAPTER 64

### PART II

#### MISCELLANEOUS AND GENERAL

##### *Convictions, etc. as evidence in civil proceedings*

#### **13 Conclusiveness of convictions for purposes of defamation actions.**

- (1) In an action for libel or slander in which the question whether [<sup>F1</sup>the plaintiff] did or did not commit a criminal offence is relevant to an issue arising in the action, proof that, at the time when that issue falls to be determined, [<sup>F1</sup>he] stands convicted of that offence shall be conclusive evidence that he committed that offence; and his conviction thereof shall be admissible in evidence accordingly.
- (2) In any such action as aforesaid in which by virtue of this section [<sup>F1</sup> the plaintiff] is proved to have been convicted of an offence, the contents of any document which is admissible as evidence of the conviction, and the contents of the information, complaint, indictment or charge-sheet on which [<sup>F1</sup>he] was convicted, shall, without prejudice to the reception of any other admissible evidence for the purpose of identifying the facts on which the conviction was based, be admissible in evidence for the purpose of identifying those facts.

[<sup>F2</sup>(2A) In the case of an action for libel or slander in which there is more than one plaintiff—

- (a) the references in subsections (1) and (2) above to the plaintiff shall be construed as references to any of the plaintiffs, and
  - (b) proof that any of the plaintiffs stands convicted of an offence shall be conclusive evidence that he committed that offence so far as that fact is relevant to any issue arising in relation to his cause of action or that of any other plaintiff.]
- (3) For the purposes of this section a person shall be taken to stand convicted of an offence if but only if there subsists against him a conviction of that offence by or before a court

---

*Changes to legislation: There are currently no known outstanding effects for the Civil Evidence Act 1968, Section 13. (See end of Document for details)*

---

in the United Kingdom or [<sup>F3</sup>(in the case of a service offence) a conviction (anywhere) of that service offence]<sup>F3</sup>.

- (4) Subsections (4) to [<sup>F4</sup>(7)]<sup>F4</sup> of section 11 of this Act shall apply for the purposes of this section as they apply for the purposes of that section, but as if in the said subsection (4) the reference to subsection (2) were a reference to subsection (2) of this section.
- (5) The foregoing provisions of this section shall apply for the purposes of any action begun after the passing of this Act, whenever the cause of action arose, but shall not apply for the purposes of any action begun before the passing of this Act or any appeal or other proceedings arising out of any such action.

#### Textual Amendments

- F1** Words in s. 13(1) substituted (4.9.1996) by 1996 c. 31, ss. 12(1), 19(1) (with s. 20(2))
- F2** S. 13 (2A) inserted (4.9.1996) by 1996 c. 31, ss. 12(1), 19(1) (with s. 20(2))
- F3** Words in s. 13(3) substituted (28.3.2009 for certain purposes and otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383(2), [Sch. 16 para. 52\(a\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)
- F4** Words in s. 13(4) substituted (28.3.2009 for certain purposes and otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383(2), [Sch. 16 para. 52\(b\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)

#### Modifications etc. (not altering text)

- C1** S. 13 modified (24.4.2009 for certain purposes and otherwise 31.10.2009) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(2)(3), 205, [Sch. 1 para. 11\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Evidence Act 1968, Section 13.