



Criminal Procedure and Investigations Act 1996

1996 CHAPTER 25

PART VII

MISCELLANEOUS AND GENERAL

Tainted acquittals

57 Tainted acquittals: supplementary.

- (1) Section 45 of the Offences Against the ^{M1}Person Act 1861 (which releases a person from criminal proceedings in certain circumstances) shall have effect subject to section 54(4) of this Act.
- (2) The ^{M2}Contempt of Court Act 1981 shall be amended as mentioned in subsections (3) and (4).
- (3) In section 4 (contemporary reports of proceedings) after subsection (2) there shall be inserted—

“(2A) Where in proceedings for any offence which is an administration of justice offence for the purposes of section 54 of the ^{M3}Criminal Procedure and Investigations Act 1996 (acquittal tainted by an administration of justice offence) it appears to the court that there is a possibility that (by virtue of that section) proceedings may be taken against a person for an offence of which he has been acquitted, subsection (2) of this section shall apply as if those proceedings were pending or imminent.”
- (4) In Schedule 1 (time when proceedings are active for purposes of section 2) in paragraph 3 (period for which criminal proceedings are active) after “4” there shall be inserted “ or 4A ”, and after paragraph 4 there shall be inserted—

Changes to legislation: *Criminal Procedure and Investigations Act 1996, Section 57 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“4A

Where as a result of an order under section 54 of the Criminal Procedure and Investigations Act 1996 (acquittal tainted by an administration of justice offence) proceedings are brought against a person for an offence of which he has previously been acquitted, the initial step of the proceedings is a certification under subsection (2) of that section; and paragraph 4 has effect subject to this.”

Extent Information

E1 In its application to Northern Ireland, this section has effect subject to the modifications set out in Schedule 4; see s. 79

Marginal Citations

M1 1861 c. 100.

M2 1981 c. 49.

M3 1996 c. 00.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)