



# Prevention of Crimes Act 1871

1871 CHAPTER 112 34 and 35 Vict

*Legal Proceedings*

<sup>F1F2</sup>17 .....

## Textual Amendments

- F1** S. 17 repealed (E.W.) by [Statute Law \(Repeals\) Act 1981 \(c. 19\), Sch. 1 Pt. I](#)
- F2** S. 17: Except the words “A previous conviction in any one part of the United Kingdom may be proved against a prisoner in any other part of the United Kingdom.” expressed to be repealed (E.W.) (with effect only in relation to Criminal Proceedings) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 119\(2\), Sch. 7 Pt. IV](#).
- S. 17 repealed (S.) (5.11.1993) by [1993 c. 50, s. 1\(1\), Sch. 1 Pt. I](#) Group 1.

## [<sup>F3</sup>18 Evidence of previous conviction.

A previous conviction may be proved in any legal proceeding whatever against any person by producing a record or extract of such conviction, and by giving proof of the identity of the person against whom the conviction is sought to be proved with the person appearing in the record or extract of conviction to have been convicted.

A record or extract of a conviction shall in the case of an indictable offence consist of a certificate containing the substance and effect only (omitting the formal part of the indictment and conviction), and purporting to be signed by the [<sup>F4</sup>proper officer of the court by which such conviction was made;] and in the case of a summary conviction shall consist of a copy of such conviction purporting to be signed by any justice of the peace having jurisdiction over the offence in respect of which such conviction was made, or to be signed by the proper officer of the court by which such conviction was made, or by the [<sup>F4</sup>proper officer] of any court to which such conviction has been returned.

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*Changes to legislation: There are currently no known outstanding effects for the Prevention of Crimes Act 1871, Cross Heading: Legal Proceedings. (See end of Document for details)*

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A record or extract of any conviction made in pursuance of this section shall be admissible in evidence without proof of the signature or official character of the person appearing to have signed the same.

[<sup>F5</sup>A previous conviction in any one part of the United Kingdom may be proved against a prisoner in any other part of the United Kingdom;]<sup>[<sup>F6</sup>and a conviction before the passing of this Act shall be admissible in the same manner as if it had taken place after the passing thereof].</sup>

A fee not exceeding [<sup>F7</sup>25p] may be charged for a record of a conviction given in pursuance of this section.

The mode of proving a previous conviction authorized by this section shall be in addition to and not in exclusion of any other authorized mode of proving such conviction.]

[<sup>F8</sup> In this section “proper officer” means—

- (a) in relation to a magistrates’ court in England and Wales, the [<sup>F9</sup>designated officer] for the court; and
- (b) in relation to any other court, the clerk of the court or other officer having the custody of the records of the court, or the deputy of such clerk or other officer.]

#### Textual Amendments

- F3** S. 18 repealed (S.) by [Statute Law \(Repeals\) Act 1981 \(c. 19\), Sch. 1 Pt. I](#)
- F4** Words in s. 18 substituted (1.4.2001 subject to Sch. 2 para. 2 of the commencing SI) by [1999 c. 22, s. 90, Sch. 13 para. 4\(1\)-\(3\)](#) (with [Sch. 14, para. 7\(2\)](#)); [S.I. 2001/916, art. 2\(a\)\(ii\)](#) (with [Sch. 2 para. 2](#))
- F5** S. 18 except the words “A previous conviction in any one part of the United Kingdom may be proved against a prisoner in any other part of the United Kingdom.” repealed (E.W.) (with effect only in relation to Criminal Proceedings) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 119\(2\), Sch. 7 Pt. IV](#)
- F6** Words repealed (E.W.N.I.) by [Statute Law \(Repeals\) Act 1981 \(c. 19\), Sch. 1 Pt. I](#)
- F7** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\), s. 10\(1\)](#)
- F8** Definition of “proper officer” in s. 18 inserted (1.4.2001 subject to Sch. 2 para. 2 of the commencing SI) by [1999 c. 22, ss. 90, 108\(1\), Sch. 13 para. 4\(1\)\(4\)](#) (with [Sch. 14 para. 7\(2\)](#)); [S.I. 2001/916, art. 2\(a\)\(ii\)](#) (with [Sch. 2 para. 2](#))
- F9** Words in s. 18 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\), s. 110\(1\), Sch. 8 para. 52](#); [S.I. 2005/910, art. 3\(y\)](#)

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

- C1** Expression “United Kingdom”, where first occurring, to be construed as including the Republic of Ireland: [S. R. & O 1923/405 \(Rev. X, p. 289: 1923, p. 400\), art. 2. Sch.](#)

## 19 Evidence in cases of receiving stolen property.

Where proceedings are taken against any person for having received goods knowing them to be stolen, or for having in his possession stolen property, evidence may be given at any stage of the proceedings that there was found in the possession of such person other property stolen within the preceding period of twelve months, and such evidence may be taken into consideration for the purpose of proving that such person knew the property to be stolen which forms the subject of the proceedings taken against him.

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**Changes to legislation:** *There are currently no known outstanding effects for the Prevention of Crimes Act 1871, Cross Heading: Legal Proceedings. (See end of Document for details)*

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Where proceedings are taken against any person for having received goods knowing them to be stolen, or for having in his possession stolen property, and evidence has been given that the stolen property has been found in his possession, then if such person has within five years immediately preceding been convicted of any offence involving fraud or dishonesty, evidence of such previous conviction may be given at any stage of the proceedings, and may be taken into consideration for the purpose of proving that the person accused knew the property which was proved to be in his possession to have been stolen; provided that not less than seven days notice in writing shall have been given to the person accused that proof is intended to be given of such previous conviction; and it shall not be necessary for the purposes of this section to charge in the indictment the previous conviction of the person so accused.

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

**C2** S. 19 repealed (E.W.) by [Larceny Act 1916 \(c. 50\)](#), [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Prevention of Crimes Act 1871, Cross Heading: Legal Proceedings.