

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Summary Appeal Court (Army) Rules 2000, the Summary Appeal Court (Air Force) Rules 2000 and the Summary Appeal Court (Navy) Rules 2000 (“the Summary Appeal Court Rules”). Rule 2(3) inserts new rules into each of the Summary Appeal Court Rules to provide for the procedure for the admission of evidence of bad character and hearsay evidence under Chapters 1 and 2 of Part 11 of the Criminal Justice Act 2003. By virtue respectively of section 113 and Schedule 6, and section 135 and Schedule 7, of that Act, Chapters 1 and 2 have effect, subject to modification, in relation to proceedings before summary appeal courts. Rule 3 of these Rules inserts the forms relating to the admission of evidence of bad character and hearsay evidence into each of the Summary Appeal Court Rules. The new rules only apply to proceedings in relation to which the respondent gives notice of an intention to contest an appeal against finding on or after 1 July 2005.