

Juries to be told record of accused

Juries will be told about a defendant's previous convictions as a matter of course for the first time under Government moves.

From mid-December, Home Secretary David Blunkett's reforms will see a defendant's criminal record revealed during trial, provided his or her offences are very similar to their current charges.

And in trials involving child sex and theft offences, a judge will be able to order that a much broader range of previous convictions are disclosed.

The significant change to the way criminal trials take place in England and Wales was brought in under a new law passed last year and will apply in Crown and magistrates' courts.

Mr Blunkett said it would allow juries to have greater access to information about previous convictions and other types of misconduct "without unduly prejudicing the fairness of the trial".

Generally, evidence about a defendant's bad character has been inadmissible in trials and disclosing such information to a jury would usually lead to the proceedings being stopped and a retrial ordered by the judge.

"Trials should be a search for the truth and juries should be trusted with all the relevant evidence available to help them to reach proper and fair decisions," said Mr Blunkett.

"The law has recognised for over a century that evidence of a defendant's previous convictions and other misconduct may be admitted in some circumstances.

"But the current rules are confusing and difficult to apply, and can mean that evidence of previous misconduct that seems clearly relevant is still excluded from court."

The move on child sex and theft offences will be brought in by an order laid in Parliament which will have to be debated by both Houses. The changes were brought in under the Criminal Justice Act 2003 which received Royal Assent last November.

Mr Blunkett added: "The categories I have introduced today - and further categories to be introduced in the future - will give judges clear guidance in applying the bad character provisions of the Criminal Justice Act 2003 in particular areas of offending."

From December, bad character evidence will be used when the previous convictions are strikingly similar to the new charges faced by a defendant.

But Mr Blunkett's moves today will allow juries in child sex and theft cases to hear a broader range from within the same category of offence.

Courts will have discretion on whether or not to allow previous convictions to be made known, but the onus will be on making the details public, said a Home Office spokeswoman.

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