

NOTICE OF APPEAL BY PERSON CONVICTED

Part 6, Criminal Procedure Act 2011

In the Court of Appeal of New Zealand

[Name] v [R or Police or prosecutor]

Name of appellant:
.....

Offence(s) of which convicted:
.....
.....

Court in which conviction entered: District Court at [place] or High Court at [place]:
.....

Date of conviction:

Date when sentence passed:

Court in which sentence passed: District Court at [place] or High Court at [place]:
.....

Sentence:
.....

TO THE REGISTRAR OF THE COURT OF APPEAL

I [name], the appellant, give you notice that I wish to appeal to the Court of Appeal against—

[Specify whichever applies-

- *my conviction*
- *my sentence*
- *my conviction and sentence*
- *the finding of criminal contempt*
- *the finding of criminal contempt and sentence.]*

On the grounds set out below, and I give answers as follows to the following questions:

1. (a) Is any lawyer now acting for you?

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(b) If so, give his or her name and address and electronic address, if any (such as an email address, or a fax address, or both

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(c) Have you applied, or do you intend to apply, to the Legal Services Agency for a grant of legal aid?

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2 If you are currently in a prison, which one?

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3 If you do not currently have a lawyer, what is your current postal address and electronic address, if any (such as an email address, or a fax address, or both)?

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4 (a) If you are in custody and are granted an oral hearing, do you wish to apply for leave to be present?

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(b) If so, what are your reasons for seeking leave to be present? (If you wish to have bail, you must apply separately in writing setting out the reasons and grounds for your application.)

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5 You have 20 working days from the date on which you were sentenced in which to file your notice of appeal with the Court of Appeal. The Court may extend this time. If your appeal is out of time, what are your reasons for saying that the Court should nevertheless extend the time and consider your appeal?

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6 What are the grounds of your appeal?

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7 (a) Do you wish to apply for leave to call any witnesses on your appeal?

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(b) If so, then state-

(i) the name and address of the witness(es):

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(ii) whether the witness(es) gave evidence at the trial:

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(iii) if not, the reason why the witness(es) did not give evidence:

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(iv) on what matters you wish the witness(es) to give evidence:

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(v) briefly, what evidence you think the witness(es) can give:

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8 Include in this notice of appeal anything that is relevant to the decision about whether your appeal should be considered at an oral hearing or be dealt with on the papers, such as-

(a) whether you have been assisted by a lawyer in preparing your appeal:

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(b) (if relevant) whether you have been provided with copies of the relevant trial documentation:

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(c) the gravity of the offence:

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(d) the nature and complexity of the issues raised by your appeal:

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(e) whether any evidence should be called:

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(f) any relevant cultural or personal factors:

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Dated this day of 20.....

Signature of appellant:

Note: Your appeal will be considered at an oral hearing (that is, a hearing at which oral submissions may be made) unless the Court or a Judge determines that the appeal can be fairly dealt with on the papers and either has no realistic prospect of success or clearly should be allowed. In that case, the appeal will be dealt with at a hearing on the papers. This is a hearing at which the court makes its decision solely on the basis of the written material before it.