

NOTICE OF APPEAL BY OFFENDER RELATING TO EXTENDED SUPERVISION

ORDER

Section 107R, Parole Act 2002

In the Court of Appeal of New Zealand

[Name] v [R or Police or prosecutor]

Name of appellant:

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Decision being appealed:

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[Describe the decision against which you are appealing. You may appeal against the sentencing Court-

- *making an extended supervision order (section 107I of the Parole Act 2002); or*
- *declining to cancel an extended supervision order (section 107M of the Parole Act 2002); or*

- *ordering for a specified period that you may not be permitted to apply for the cancellation of the extended supervision order to which you are subject (section 107M(6) of the Parole Act 2002; or*
- *extending a short supervision order (section 107N of the Parole Act 2002).]*

Date of decision:

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 the decision described above 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?

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5 (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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6 You have 20 working days from the date of the decision that you wish to appeal 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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7 What are the grounds of your appeal?

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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.