



**NOTICE and GROUNDS** of appeal or application for permission to appeal to **THE COURT OF APPEAL CRIMINAL DIVISION** against minimum term set or reviewed by the High Court (Criminal Procedure Rules, r 68.3(1),(2))

**ON COMPLETION PLEASE SEND THIS FORM TO THE REGISTRAR OF CRIMINAL APPEALS**

Please ensure that you have read the notes for guidance attached **before** completing this form. Write in **BLACK INK** and use **BLOCK CAPITALS**

<b>The Appellant</b>	Surname _____	Prison Index No _____
	Forenames _____	Prison _____
	Address (if not in custody) _____	_____
	_____	_____
	postcode _____	Date of birth _____

<b>Details of the High Court hearing at which the tariff was determined</b>	LIMIT reference _____	Name of Judge _____
	Date of hearing _____	
	Minimum term _____	/ Early release provision not to apply

<b>Details of conviction and sentence</b>	The Crown Court at _____	Name of Judge _____
	Date trial started _____	Date of conviction _____
	Date of sentence _____	
	Total period of remand in custody prior to sentence _____	

<b>The decision</b>	Crown Court Case number(s)	Count No.	Offence(s)	Sentence
			Total sentence	

<b>Applications</b>	<b>The appellant is applying for:</b>	<input type="checkbox"/> Extension of time in which to apply for permission to Appeal against minimum term
	Please tick (✓) as appropriate	<input type="checkbox"/> Permission to appeal against sentence (minimum term)
	Please also see the attached guidance notes	<input type="checkbox"/> Representation Order

**Legal Representation**

(please use  
BLOCK  
CAPITALS)

Name of **Counsel**

\_\_\_\_\_  
Address \_\_\_\_\_  
Post Code \_\_\_\_\_ DX No \_\_\_\_\_  
Telephone No \_\_\_\_\_ Reference \_\_\_\_\_

Name of **Solicitor**

\_\_\_\_\_  
Address \_\_\_\_\_  
Post Code \_\_\_\_\_ DX No \_\_\_\_\_  
Telephone No \_\_\_\_\_ Reference \_\_\_\_\_

**Prosecuting Authority**

\_\_\_\_\_  
Address \_\_\_\_\_  
Post Code \_\_\_\_\_ DX No \_\_\_\_\_  
Telephone No \_\_\_\_\_ Reference \_\_\_\_\_

**IMPORTANT NOTES****Grounds of Appeal**  
(r.68.3 (2))

The grounds must be attached to this application form. Please also see the attached guidance notes, particularly note 7.

The grounds of appeal must:

- 1) Identify each ground of appeal on which the appellant relies, numbering them consecutively (if there is more than one) and concisely outlining each argument in support;
- 2) Summarise the relevant facts;
- 3) Identify any relevant authorities;
- 4) Identify any other document or thing that the appellant thinks the court will need to decide the appeal

NB:

- (1) Where grounds have been settled by counsel they must be signed by counsel with the name of counsel printed underneath.
- (2) Any report which is relied upon and which was not retained by Crown Court must be copied and attached to this application form.
- (3) If an **extension of time** is needed, the detailed reasons for the delay must be attached to the grounds of appeal, preferably under a separate heading – grounds for extension of time.

**Transcripts**

On an application for **permission to appeal against minimum tariff** the Registrar will obtain a transcript of the remarks made by the High Court Judge who made the decision.

Please note that transcript obtained by means other than through the Registrar may result in the cost of the transcript not being allowed upon taxation in cases subject to a Representation Order.

**Reminder**

Have You:

- a) included reasons in support of any application for extension of time? Yes/No\*
- b) (i) attached your grounds of appeal? Yes/No\*
- (ii) are the grounds of appeal signed by counsel/solicitor? Yes/No\*

**Signature**

**ALL APPELLANTS**

I understand that if the court dismisses my appeal or application it may make an order for payment of costs against me, including the cost of any transcript obtained.

This form should be signed by the appellant but may be signed by his/her legal representative provided the WARNINGS set out above have been explained to him/her. NB if signed by a legal representative, the appellant will be given the opportunity to request a copy of the form.

Signature

Date

(of appellant or legal representative signing on *behalf* of the appellant)

**NOW PLEASE SEND THIS FORM TO THE REGISTRAR OF CRIMINAL APPEALS**

**For Prison Use**

This notice was handed to me by appellant today.

Appellant's Index No \_\_\_\_\_

Signed \_\_\_\_\_  
Prison Officer

EDR \_\_\_\_\_

Date \_\_\_\_\_

PED \_\_\_\_\_

## Notes for guidance on the completion of this form

1. This form is only to be used for appeals against a determination of the minimum term (if any) after which a person serving a life sentence may be released under the early release provisions made under the transitional provisions in Schedule 22 to the Criminal Justice Act 2003. The appeal is made under paragraph 14 of that Schedule.
2. Solicitors and Counsel are expected to be familiar with "A Guide to Proceedings in the Court of Appeal Criminal Division" copies of which are available from any Crown Court Centre. The Guide is also available on the Court Service Internet site ([www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)), as are all necessary forms.
3. If the appellant wishes to appeal against conviction or sentence Form NG should be used.
4. **In the initial stages the Court is reliant upon the information that you provide. It is in your own interests to assist by providing accurate and complete information in the form. Please indicate if you or your legal advisers have already been in correspondence with this office.**
5. Please give details of the appellant's full name; if in custody give the prison index number and address where detained. If not in custody give details of address at which residing and which correspondence should be sent.

### 6. Applications

This application form should be sent to the Registrar of Criminal Appeals not more than 28 days after the decision appealed against. The form should be handed to the prison authority (or other person having custody) for forwarding to the Criminal Appeal Office, and the date of handing in should be recorded on the form.

- **Extension of time** The period of 28 days cannot be extended except with permission of the Court of Appeal Criminal Division and detailed reasons for the delay must be attached to this form. **An application for an extension of time will not be considered before an application for permission to appeal against minimum term has been lodged on Form NG(MT), whether or not the 28 day period has already expired.**
- **Representation Order** (ie. legal assistance) A Representation Order made in the Crown Court does not provide for oral argument before the Court of Appeal. If a Representation Order is sought for this purpose it should be applied for.

**7. Grounds of appeal** If a positive advice on appeal is given it should always be incorporated into the same document as the grounds of appeal, as a single document. **Grounds must be settled in accordance with the requirements of r.68.3(2) of the Criminal Procedure Rules.** Ineffective applications will be rejected, thus causing delay and possibly making it necessary for an extension of time to be sought (see note 6 above). Unsigned grounds will be returned, again with resulting delay to the application.

**8.** Where an appellant has been **granted** permission to appeal s/he is entitled to be present on the hearing of the appeal only. If the appellant is in custody and wishes to be present at any hearing for which permission to be present is required s/he must apply for permission in writing.