

# APPEALING AGAINST A MAGISTRATES' COURT DECISION<sup>1</sup>

## SECTION 1



### Important information you need to know before filling in this form.

You can use this form if you are appealing against a magistrates' court decision.

If you pleaded **not guilty** you can appeal against your conviction or sentence or both.



If you pleaded **guilty** you can usually only appeal against your sentence.



You should send in the form within **21 days** of the date you were sentenced. If you miss this deadline you will have to ask the court for permission before you can appeal.



<sup>1</sup> Criminal Procedure Rules, rule 34.3

If you **win** your appeal against **conviction** that is the same as being found not guilty and the sentence will not apply.

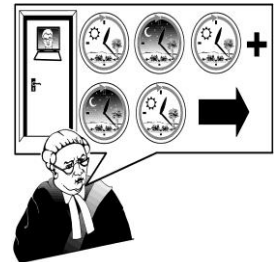


If you **win** your appeal against **sentence** the court may reduce or change your sentence.

You may be able to claim some costs.



If you **lose** your appeal against your sentence the **Crown Court can increase your sentence.** But, not more than the magistrates' court could have sentenced you to.



If you **lose** your appeal against conviction or sentence you may have to pay costs.



## SECTION 2

**This section asks you for details about you and your case.**



What is your name? \_\_\_\_\_

What is your address? \_\_\_\_\_

\_\_\_\_\_



What is your phone number? \_\_\_\_\_

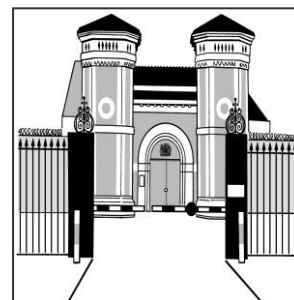


What is your e-mail address? \_\_\_\_\_



If you are in prison, what is the name of the prison you are in?

\_\_\_\_\_



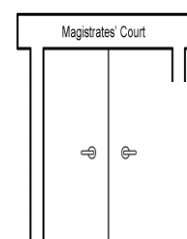
What is your prison number? \_\_\_\_\_

What crime(s) were you convicted of ?

\_\_\_\_\_

What was the name of the magistrates' court where you were convicted? (for example Hull Magistrates' Court)

\_\_\_\_\_



What date were you sentenced?

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What is your magistrates' court case reference number? (this can be found on letters you have received from the court about your case and will look something like this 1400006746)

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## SECTION 3

### Your Appeal



If you miss the **21 day deadline** to appeal you have to ask the Crown Court for permission to appeal. If you are appealing late, explain why here. If you have any documents or letters to help explain why your appeal is late please include them with this form.

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## SECTION 4



### Information about why you are appealing



Tell us here why you do not agree with your **conviction**. Please give the facts about the situation and what you think is wrong. You can use extra paper if you need to

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Write here why you do not agree with your **sentence**.



Please give the facts about the situation and what you think is wrong. You can use extra paper if you need to.

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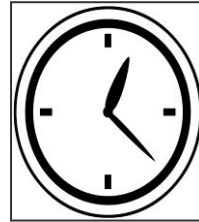
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## Appeals Against Conviction

You only need to fill in this section if you are **appealing against your conviction**.

How long did the trial last in the magistrates' court (for example 5 hours)?



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Write here the names of any witnesses who gave evidence for the prosecution who you might want to be questioned as part of your appeal in court.

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## SECTION 5

### Other Applications

#### Disqualification and Bail

Are you asking the court to suspend your disqualification (for example your disqualification from driving)?

Please tick

Yes

No



If you have ticked yes, explain your reasons here.

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Are you asking the court to release you on bail before your appeal is heard?

Please tick

Yes

No



If yes, explain your reasons here

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I want my application(s) to be considered by

Please tick

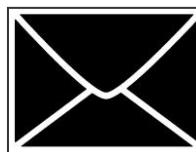
The magistrates' court

The Crown Court

(you can apply to both)

## SECTION 6

### What Happens Next.

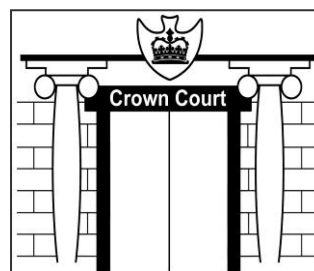


Sign this form below and send a copy to the **magistrates' court where you were convicted and to the prosecutor** (you can find the address of the prosecutor by contacting the magistrates' court where you were convicted).

Signature .....

Date .....

### The Court hearing



Your appeal will be heard at the Crown Court.

The Crown Court will contact you about your appeal.

The Crown Court may ask you to come to a hearing where the date for the appeal will be decided and other arrangements for the appeal will be made.