

**DEFENDANT'S APPLICATION OR APPEAL TO THE CROWN COURT  
AFTER MAGISTRATES' COURT BAIL DECISION**

*(Criminal Procedure Rules, rule 14.8)*

**Case details**

Name of defendant:

Address:

*If the defendant is in custody, give prison and prison number, if known.*

Appeal from ..... Magistrates' Court

Magistrates' court case reference number:

Appeal to the Crown Court at:

Crown Court case reference number:

**This is an application by the defendant for the Crown Court to:**

- grant bail, which the magistrates' court has withheld**
- vary a condition or conditions of bail, after the magistrates' court has decided an application to vary bail conditions<sup>1</sup>**

*Which condition(s)?*

Use this form ONLY for an application or appeal to the Crown Court after a magistrates' court has withheld bail or decided an application to vary a bail condition, under Criminal Procedure Rule 14.8. There is a different form for making an application about bail to the Crown Court where the Crown Court is already dealing with your case.

**1. Complete the boxes above and give the details required in the boxes below.** If you use an electronic version of this form, the boxes will expand<sup>2</sup>. If you use a paper version and need more space, you may attach extra sheets.

**2. Sign and date the completed form.**

**3. Send a copy of the completed form to:**

- (a) the Crown Court,**
- (b) the magistrates' court,**
- (c) the prosecutor, and**
- (d) any surety or proposed surety who this application will affect.**

You must send this form so as to reach the recipients **as soon as practicable after the magistrates' court's decision.**

The Crown Court will deal with this application no later than the business day after it was served.

**A prosecutor who opposes this application must let the defendant and the Crown Court know at once, and serve on them notice of the reasons for opposing it.**

<sup>1</sup> A defendant can only appeal to the Crown Court against a bail condition if:  
(a) the magistrates' court has decided an application by the prosecutor or defendant to vary bail conditions; and  
(b) the condition is one that the defendant must:  
(i) live and sleep at a specified place (or away from a specified place),  
(ii) give a surety or a security,  
(iii) stay indoors between specified hours,  
(iv) comply with electronic monitoring requirements, or  
(v) make no contact with a specified person.

<sup>2</sup> Forms for use with the Rules are at: <http://www.justice.gov.uk/courts/procedure-rules/criminal/formspage>.

**1) Alleged offence(s).** Give brief details of the charges against the defendant.

**2) Magistrates' court bail decision.** Give brief details of the magistrates' court decision you want the Crown Court to change (including the date of that decision), and the reasons which that court gave.

**3) Reasons for this application.** Explain, as appropriate:

- (a) why the Crown Court should not withhold bail,
- (b) why the Crown Court should vary the conditions of bail,
- (c) what further information or legal argument, if any, has become available since the magistrates' court bail decision was made.

**4) Proposed condition(s) of bail.** If the Crown Court decides to impose or vary bail conditions, what condition(s) do you propose ? If the court decides to impose a condition of residence, what should that address be ?

**Signed<sup>3</sup>:** ..... **[defendant / defendant's solicitor]**

**Date:** .....

<sup>3</sup> If you use an electronic version of this form, you may instead authenticate it electronically (e.g. by sending it from an email address recognisable to the recipient). See Criminal Procedure Rules, rule 5.3.