



The Court of Appeal Criminal Division

NOTICE and GROUNDS of application for leave to appeal and appeal against restraint or receivership decision

s.13B, s.43 and s.65 Proceeds of Crime Act 2002

Form
POCA 3

Write in BLACK INK and use BLOCK CAPITALS

CAO No.

Your (appellant's) name and address	Surname	_____	
	Forenames	_____	
	Prison Index No. (if applicable)	_____	
	Address	_____	
	If in custody give prison address where detained	_____	
	Postcode	Date of birth	_____
Solicitors details (if any)	_____		

Details of the case	Crown Court	Case number	_____
	Name of defendant* <i>*(or alleged offender: 40(9)(a) Proceeds of Crime Act 2002)</i>	_____	

Details of the order(s), part(s) of order(s) or decision(s) you want to appeal	Name of Judge	Date of order(s) or decision(s)	_____
	Description of order(s) or decisions(s)	_____	
	If only part of an order is appealed, write out that part (or those parts):		

Are you	<i>(Please tick as appropriate):</i>		
	<input type="checkbox"/>	the person who applied for the order you are seeking to appeal?	
	<input type="checkbox"/>	a person affected by the order or decision?	
<input type="checkbox"/>	the receiver?		

Grounds of Appeal

(Please specify)

Arguments in support of grounds

(Summaries the arguments you intend to put to the Court of Appeal, specifying any authorities to be cited)

**What decision
are you
asking the
court of
appeal to
make?**

I am asking that *(Please tick as appropriate)*:

- the order(s), parts of order(s) or decision(s) I am appealing against be set aside
- the order(s), parts of order(s) or decision(s) I am appealing against be varied and the following order(s) or decision(s) substituted:

a re-hearing by the Crown Court be ordered

the Court of Appeal to make the following additional orders:

- i) an extension of time in which to seek leave to appeal (please give details in Part A)
- ii) an order for costs (please give details):

Other applications

Part A

I apply for an extension of time in which to seek leave to appeal because:

I apply for a direction that I may effect service on the respondent(s)* / any person who holds realisable property to which the appeal relates* / and any other person affected by the appeal* (*delete as appropriate)
other than in accordance with rule 42.11: *(if you are seeking an ex parte appeal you must say so and give reasons in support)*

I apply for a witness order for: *(please state the name of the witness (es) for which you seek a witness order)*

I am the defendant / alleged offender and am in custody and I apply for leave to be present on the hearing of the appeal* or any proceedings preliminary or incidental to it because: *(*leave is only necessary in relation to the appeal hearing where the appeal is on some ground involving a question of law alone)*

Part B *(see Article 7 of the Proceeds of Crime Act 2002 (Appeals under Part 2) Order 2003)*

I seek leave to rely on *(please tick as appropriate)*:

Oral evidence (as specified in Part C)

A witness statement(s) or affidavit(s) (as specified in a Part C)

Part C

I seek leave to rely in the following evidence in support of this application:

- (please state if):
- i) *the name of the witness(es) and give brief details of the evidence given, attaching a witness statement or affidavit;*
 - ii) *the reason(s) why this evidence was not added at the hearing below;*
 - iii) *whether you are seeking a witness order(s)*

Supporting documents

Please tick the papers you are filing with this notice and any you will be filing later

- i) Four additional copies of this notice
- ii) Four copies of your skeleton argument *(if separate)*
- iii) One sealed copy and four unsealed copies of any order being appealed
- iv) Four copies of any witness statements of affidavits in support of any application included in this notice
- v) Four copies of a suitable record of the reasons for the judgment of the crown court
(a suitable record may be either
 - i) an approved transcript of the judgment;*
 - ii) a copy of the written judgment (endorsed with the judge's signature);*
 - iii) a note of the judgment ñ if you were not legally represented in the lower court but the respondent was, the respondent's advocate should make their note of the judgment available to your free of charge*
- vi) Four copies of the bundle of documents used in the Crown Court proceedings

If you do not yet have a document that you intend to use to support your appeal, identify it, give the date when you expect it to be available and give the reasons why it is not currently available below:

Signature and certificate of service	I certify that I shall, within 7 days of today's date, serve each respondent; any person who holds realisable property to which the appeal relates; and any other person affected by the appeal; with:
	<ol style="list-style-type: none"> 1. a copy of this notice and grounds 2. a Respondent's notice (Form PoCA 4) 3. one copy of the supporting documents listed, except i) <p>OR</p> <p>I am unable to affect service on _____ for the following reasons:</p>

Name and address of those to be served	Name _____	Name _____
	Address _____	Address _____
	Solicitor's details <i>(if known)</i>	Solicitor's details <i>(if known)</i>
Continue on separate sheet if necessary		

Signature	Signature of appellant _____
	Date _____
Details of any person signing on behalf of the appellant:	Name _____ Solicitor / Counsel <i>(delete as appropriate)</i>
	Address _____
	Postcode _____
	Solicitors Ref. _____

On completion please send this form to the Crown Court where the order was made

For Crown Court Use (see note below)		For Criminal Appeal Office Use	
Received (date)	_____	Received (date)	_____
Signed	_____	Acknowledged (date)	_____
Sent to Criminal Appeal Office (date)	_____		_____
Signed	_____		

For Prison Use	This notice was handed to me by the defendant today.	
	Signed _____	Prison Officer
	Date _____	