



The Court of Appeal Criminal Division

NOTICE and GROUNDS of opposition to an 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 4

Write in BLACK INK and use BLOCK CAPITALS

CAO No.

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

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

<p>Details of the order(s), part(s) of order(s) or decision(s) you want to appeal or seek to uphold</p>	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):

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

Grounds of appeal or for upholding the order

I (please tick as appropriate):

appeal the order(s), or decision(s) of the Crown Court

wish the Court of Appeal to uphold the order(s) or decision(s) of the Crown Court [on different or additional grounds]* (*delete if you seek to uphold the lower court's decision **and** reasons)

because:

Arguments in support of grounds

Summarise the arguments that 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 upholds the order(s), parts of order(s) or decision(s) [on different or additional grounds]* *(*delete if you seek to uphold the lower court's decision **and** reasons)*

the Court of Appeal to make the following additional orders:

i) an order for costs (please give details)

ii) other (please specify):

Other applications

Part A

I apply for a direction that I may effect service on the appellant and any other respondent(s) other than in accordance with rule 42.16 because:

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

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: 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) Four copies of any witness statements or affidavits in support of any application included in this notice

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 in the box below:

Signature and certificate of service	I certify that I shall, within 7 days of today's date, serve the appellant and any other respondent with a copy of this notice and grounds and one copy of each of the supporting documents listed, except i)	
	OR	
	I am unable to effect service on _____	For the following reasons _____

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

On completion please send this form to the Registrar of Criminal Appeals, Criminal Appeal Office, Royal Courts of Justice, Strand, London WC2A 2LL.

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

For Criminal Appeal Office Use	
Received (date) _____	Acknowledged (date) _____