

NOTICE OF APPEAL

COURT OF CRIMINAL APPEAL

CCA Form 8 (version 1)

SC (CCA) Rule 3.5(1)(a)

[Note: If this Form is not accompanied by all required documents, it will have effect as a Notice of Intention to Appeal: SC (CCA) Rules 3.6; a completed certificate in the form of Annexure A must be attached to the Notice of Appeal; if the appeal is not filed within time a completed Application for Leave to File a Notice of Appeal After Expiry of the Filing Period in the form of Annexure B must be attached to the Notice of Appeal]

COURT REFERENCE NUMBER(S)	
Court reference number(s)	[Include all Justicelink and proceeding numbers for each offence appealed]
PARTIES	
Appellant	
Respondent	
Appellant / Respondent date of birth [delete whichever inapplicable]	/ /
Appellant / Respondent MIN [delete whichever inapplicable]	
NON-PUBLICATION ORDERS	
Is there a non-publication or suppression order in force or sought?	<input type="checkbox"/> YES [address this in written submissions; see Practice Note No. SC CCA 1] <input type="checkbox"/> NO
APPEAL	
Appeal or application for leave to appeal against:	<input type="checkbox"/> CONVICTION <input type="checkbox"/> CONVICTION AND SENTENCE <input type="checkbox"/> SENTENCE <input type="checkbox"/> INTERLOCUTORY DECISION <input type="checkbox"/> OTHER [specify type of appeal]
Has the Judge from the trial court certified that the appeal is a proper one for an appeal?	<input type="checkbox"/> YES [attach Judge's certificate] <input type="checkbox"/> NO
LEAVE TO APPEAL	
Has a Notice of Intention to Appeal (NIA) previously been filed?	<input type="checkbox"/> YES – Date of filing NIA: / / <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is this appeal filed within time? [see SC (CCA) Rules 3.1(3), 3.5(2) - (4)] Appeals are filed within time if filed before the following periods have elapsed: 3 months after conviction or sentence (if no NIA has been filed) 12 months after an NIA is filed 28 days after sentence (for appeals against sentence by the Crown) 14 days after an interlocutory decision (for appeals against interlocutory decisions)	<input type="checkbox"/> YES <input type="checkbox"/> NO [An Application for Leave to Appeal in the form of Annexure B must be attached to the Notice of Appeal]

OFFENCES	
<p>Offence(s) subject to appeal [Specify offence(s), H numbers will not suffice]</p>	<p><input type="checkbox"/> The appeal is in relation to all offences: sentenced / guilty verdict on [date] [delete whichever inapplicable] [specify offences]</p> <p style="text-align: center;"><u>OR</u></p> <p><input type="checkbox"/> The appeal is in relation only to the following offences: sentenced / guilty verdict on [date] [delete whichever inapplicable] [specify offences]</p> <p style="text-align: center;"><u>OR</u></p> <p><input type="checkbox"/> The interlocutory appeal is in relation to the following offences: [specify offences]</p>
INTERLOCUTORY DECISION APPEALED [if applicable]	
Decision appealed	
Orders sought on appeal	
SENTENCE	
Sentence	[Specify type of sentence imposed; i.e., Imprisonment / other sentence; specify length; commencement date; expiry of non-parole period and expiration of sentence]
CUSTODY	
Is the Appellant / Respondent in custody? [delete whichever inapplicable]	<input type="checkbox"/> YES – Gaol: <input type="checkbox"/> NO [if on bail pending appeal specify when and where bail was granted]
LOWER COURT PROCEEDINGS	
Court appealed from	
Court location	
Name of Judge	
Date(s) (where applicable) of:	
Trial and verdict	
Interlocutory decision appealed	
Sentence	
LEGAL REPRESENTATION	
Does the Appellant have legal representation for this appeal?	<input type="checkbox"/> YES [complete legal representative details below] <input type="checkbox"/> NO – I am representing myself Postal and email address [only required if not in custody]
Legal representative:	
Name of firm	
Contact name	

Case reference no.		
Address		
Email address		
Phone		
Counsel briefed:		
Name of Counsel		
Chambers		
Address		
Email address		
Phone		
ATTENDANCE AT HEARING		
Does the Appellant wish to be present at the hearing of the appeal? <small>[see SC (CCA) Rules 5.7 regarding an appellant failing to appear in accordance with a bail acknowledgement]</small>	<input type="checkbox"/> YES <input type="checkbox"/> NO	
RESPONDENT		
<small>[Does not need to be completed where the Respondent is the Director of Public Prosecutions] [This Notice of Appeal must be served on all Respondents: SC (CCA) Rules 2.5 - 2.10; 3.7(1)(a); 3.7(1)(b) and (2).] [The Court will arrange service on the Crown where the Appellant is not represented by an Australian legal practitioner: SC (CCA) Rules 2.6.]</small>		
Is the Respondent legally represented?	<input type="checkbox"/> YES <small>[complete legal representative details below]</small> <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN	
If yes, details of Respondent's legal representative (or last known legal representative)		
Name of firm		
Contact name		
Case reference no.		
Address		
Email address		
Phone		
SIGNATURE		
Signature of legal representative (or Appellant if the Appellant has no legal representative)		
Name		
Capacity <small>[e.g., Appellant's legal representative]</small>		
Date of signing		

REGISTRY DETAILS

Street address	Supreme Court of New South Wales Court of Criminal Appeal Law Courts Building Queen's Square Level 5, 184 Phillip Street Sydney NSW 2000
Postal address	GPO Box 3 Sydney NSW 2001
DX address	DX 829 SYDNEY
Filing email address	sc.emailfiling@justice.nsw.gov.au ; and cca@justice.nsw.gov.au [Note: if this Form is filed by email then the legal representative of the applicant undertakes to deliver to the Registry the original and three hard copies within 24 hours of the email filing (Practice Note No. SC CCA 1)]
Phone	1300 679 272

**ANNEXURE A TO NOTICE OF APPEAL
COURT OF CRIMINAL APPEAL
Certification**

I, [name], certify as follows:

I am the Appellant / the Appellant's legal representative on this appeal. [delete whichever inapplicable]

Attached to this Notice of Appeal are documents setting out:

- all grounds relied on in the appeal; and
- written submissions addressing each ground, compliant with the requirements of Practice Note No. SC CCA 1.

[This is not required for interlocutory appeals and appeals by the Crown]

This appeal does/does not raise fresh/new evidence or any issue in which the Court will need to consider material not before the trial court? [delete whichever inapplicable]

If yes, are all affidavits and/or reports in support filed with the Notice of Appeal?

YES

NO [Briefly state reasons]:

Appellants without legal representation are not required to complete 4 - 7 below:

Does the appeal raise a matter for which 5 judges may need to hear the appeal?

YES [If not addressed in written submissions filed with Notice of Appeal, provide brief reasons why]

NO

Does the appeal raise a matter arising under the Constitution or involving its interpretation?

YES [A notice under s78B of the *Judiciary Act 1903* must be given to each Attorney General and a copy of each notice attached].

NO

Attached is a list of all relevant dates from the trial court proceedings; all transcript is / is not available. [delete whichever inapplicable]

[Include dates for co-offender proceedings, where relevant; indicate which, if any, transcript is unavailable]

Attached is a list of exhibits.

[State whether exhibits are available and if not, whether steps have been taken to confirm availability. Include exhibits for co-offenders, where relevant]

Signature of Appellant's legal representative (or Appellant if the Appellant has no legal representative)

.....
Name:

Date: / /