
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 63

APPEAL TO THE CROWN COURT AGAINST CONVICTION OR SENTENCE

Notice of appeal

63.2.—(1) An appeal shall be commenced by the appellant's giving notice of appeal in accordance with the following provisions of this rule.

(2) The notice required by the preceding paragraph shall be in writing and shall be given to a court officer for the magistrates' court and to any other party to the appeal.

(3) Notice of appeal shall be given not later than 21 days after the day on which the decision appealed against is given and, for this purpose, where the court has adjourned the trial of an information after conviction, that day shall be the day on which the court sentences or otherwise deals with the offender:

Provided that, where a court exercises its power to defer sentence under section 1(1) of the Powers of Criminal Courts (Sentencing) Act 2000(1), that day shall, for the purposes of an appeal against conviction, be the day on which the court exercises that power.

(4) A notice of appeal shall state the grounds of appeal.

(5) The time for giving notice of appeal may be extended, either before or after it expires, by the Crown Court, on an application made in accordance with paragraph (6).

(6) An application for an extension of time shall be made in writing, specifying the grounds of the application and sent to a Crown Court officer.

(7) Where the Crown Court extends the time for giving notice of appeal, the Crown Court officer shall give notice of the extension to—

- (a) the appellant; and
- (b) the magistrates' court officer,

and the appellant shall give notice of the extension to any other party to the appeal.

[Note. Formerly rule 7 of the Crown Court Rules 1982.]

(1) Section 1(1) is amended by the Criminal Justice Act 2003 (c. 44), Schedule 23, paragraph 1, with effect from a date to be appointed.