
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 38

**APPEAL TO THE COURT OF APPEAL AGAINST
RULING ADVERSE TO PROSECUTION**

Form of appeal notice

- 38.4.**—(1) An appeal notice must be in the form set out in the Practice Direction.
- (2) The appeal notice must—
- (a) specify each ruling against which the appellant wants to appeal;
 - (b) identify each ground of appeal on which the appellant relies, numbering them consecutively (if there is more than one) and concisely outlining each argument in support;
 - (c) summarise the relevant facts;
 - (d) identify any relevant authorities;
 - (e) include or attach any application for the following, with reasons—
 - (i) permission to appeal, if the appellant needs the court’s permission,
 - (ii) an extension of time within which to serve the appeal notice,
 - (iii) expedition of the appeal, or revocation of a direction expediting the appeal;
 - (f) include a list of those on whom the appellant has served the appeal notice;
 - (g) attach—
 - (i) a transcript or note of each ruling against which the appellant wants to appeal,
 - (ii) all relevant skeleton arguments considered by the Crown Court judge,
 - (iii) any written application for permission to appeal that the appellant made to the Crown Court judge,
 - (iv) a transcript or note of the decision by the Crown Court judge on any application for permission to appeal,
 - (v) a transcript or note of the decision by the Crown Court judge on any request to expedite the appeal, and
 - (vi) any other document or thing that the appellant thinks the court will need to decide the appeal; and
 - (h) attach a form of respondent’s notice for any defendant served with the appeal notice to complete if that defendant wants to do so.

[Note. An appellant needs the court’s permission to appeal unless the Crown Court judge gives permission: see section 57(4) of the Criminal Justice Act 2003. For ‘respondent’s notice’ see rule 38.7.]