



Jersey

**COURT OF APPEAL (CRIMINAL)  
RULES 1964**

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Jersey

## COURT OF APPEAL (CRIMINAL) RULES 1964

### Arrangement

#### Rule

1	Interpretation .....	7
2	Forms.....	7
3	Notice to appeal.....	8
4	Application for leave .....	8
5	Particulars.....	8
6	Time to appeal after conviction.....	8
7	Time to appeal after sentence .....	8
8	Abandonment of appeals.....	8
9	Certificate of judge who presided at the trial .....	9
10	.....	9
11	Appeals where fine only inflicted .....	9
12	Exhibits .....	10
13	Copies of documents and exhibits.....	10
14	Record of proceedings at trial .....	10
15	Proceedings before a single judge .....	11
16	Supplemental powers of court.....	11
17	Notifications regarding appeals.....	12
18	Notice of decision.....	13
19	Miscellaneous provisions .....	13
20	Applications .....	13
21	Non-compliance with rules .....	13
22	Extension of time .....	14
23	Reference by Lieutenant-Governor .....	14
24	Private consideration .....	14
25	Citation.....	14

#### **SCHEDULE** **15**

FORMS 15

FORM 1 15

NOTICE OF APPEAL OR APPLICATION FOR LEAVE TO APPEAL  
AGAINST CONVICTION OR SENTENCE 15

FORM 2	17
NOTICE OF APPLICATION FOR EXTENSION OF TIME WITHIN WHICH TO APPEAL	17
FORM 3	18
NOTICE OF ABANDONMENT	18
FORM 4	19
JUDGE'S CERTIFICATE	19
FORM 5	20
UNDERTAKING TO PROSECUTE APPEAL	20
FORM 6	21
NOTIFICATION OF RESULTS OF APPLICATIONS DEALT WITH UNDER ARTICLE 41	21
FORM 7	22
NOTICE OF APPEAL FROM JUDGE UNDER ARTICLE 41	22
FORM 8	23
NOTIFICATION OF RESULTS OF APPLICATIONS TO THE FULL COURT	23
FORM 9	24
ORDER TO WITNESS TO ATTEND COURT OR BEFORE EXAMINER	24
FORM 10	25
NOTICE OF APPLICATION FOR LEAVE TO CALL FURTHER EVIDENCE	25
FORM 11	26
NOTIFICATION OF RESULT OF APPEAL.	26

## Supporting Documents

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<b>ENDNOTES</b>	<b>27</b>
Table of Legislation History .....	27
Table of Renumbered Provisions .....	27

---

Table of Endnote References .....27





Jersey

## COURT OF APPEAL (CRIMINAL) RULES 1964

**THE COURT OF APPEAL AND THE SUPERIOR NUMBER OF THE ROYAL COURT**, sitting together, in pursuance of Article 40 of the Court of Appeal (Jersey) Law 1961,<sup>1</sup> and of all other powers enabling them in this behalf, have made the following Rules –

Commencement [[see endnotes](#)]

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### 1 Interpretation

- (1) In these Rules, unless the context otherwise requires –
- “appeal” and “application” mean respectively an appeal and an application under Part 3 of the Law;
  - “conviction” includes any conviction by the Royal Court in any criminal or quasi-criminal proceedings, whether on indictment or otherwise;
  - “Court” means the Court to which an appeal lies;
  - “court of trial” means the court from the conviction before which or from the sentence of which a person desires to appeal;
  - “Law” means the Court of Appeal (Jersey) Law 1961.<sup>2</sup>
- (2) In these Rules, any reference to a single judge shall, in relation to appeals to the Superior Number of the Royal Court, be construed as a reference to the Bailiff or the Deputy Bailiff.

### 2 Forms

The Forms set out in the Schedule, or Forms as near thereto as circumstances permit, shall be used in all cases to which such Forms are applicable, and a Form referred to by number in these Rules means the Form so numbered in the Schedule.

**3 Notice to appeal**

- (1) A person who desires to appeal or to make application for leave to appeal or for extension of the time within which under the Law notice of appeal or notice of application for leave to appeal is to be given, shall begin his or her appeal or application by sending to the Judicial Greffier the requisite notice of appeal or notice of application in whichever of Forms 1 or 2 is applicable, and the Judicial Greffier shall forthwith send a true copy of such notice to the Attorney General.
- (2) Every such notice shall be in writing and shall be signed by the appellant or applicant or by his or her advocate.

**4 Application for leave**

- (1) Where the Court has, on a notice of application for leave to appeal, given an applicant leave to appeal, it shall not be necessary for the applicant to lodge any notice of appeal, but the notice of application for leave to appeal shall in such case be deemed to be a notice of appeal.
- (2) Where the notice of application for extension of time within which to appeal is sent to the Judicial Greffier, there shall be sent with the notice of application a notice of appeal or notice of application for leave to appeal duly completed.

**5 Particulars**

Substantial particulars of misdirection or of other objection to the summing up must be set out in the notice of appeal or notice of application for leave to appeal, even if the transcript of the shorthand note of the trial has not yet been obtained.

**6 Time to appeal after conviction**

The time within which a person convicted shall give notice of appeal or notice of application for leave to appeal against his or her conviction shall commence to run from the day on which the verdict was returned, whether the court of trial passed sentence or pronounced final judgment on the person on that day or not.

**7 Time to appeal after sentence**

The time within which a person convicted and sentenced shall give notice of application for leave to appeal against sentence shall commence to run from the day on which such sentence was passed on the person by the court of trial.

**8 Abandonment of appeals**

- (1) An appellant or applicant at any time after he or she has duly sent to the Judicial Greffier any notice under Rule 3(1) may abandon his or her appeal or application by giving to the Judicial Greffier notice of such



abandonment in Form 3, and on such notice being given the appeal shall be deemed to have been dismissed by the Court.

- (2) Where no appearance is made by or on behalf of an appellant or applicant on the calling on of his or her appeal or application and where no case or argument in writing has been lodged at the time of such calling on, the Court shall dispose of the appeal or application as if it had been abandoned by the appellant or applicant.

## **9 Certificate of judge who presided at the trial**

- (1) The certificate of the judge who presided at the trial that the case is one fit for appeal may be in Form 4.
- (2) The judge who presided at the trial may, in any case in which the judge considers it desirable so to do, inform the person convicted before him or her that the case is in the judge's opinion fit for appeal under Article 24(1)(b) of the Law, and may give to such person a certificate to that effect in Form 4.<sup>3</sup>

## **10** <sup>4</sup>

## **11 Appeals where fine only inflicted**

- (1) Where a person has, on his or her conviction, been sentenced to payment of a fine and, in default of payment, to imprisonment, the person lawfully authorized to receive the fine shall, on receiving the same, retain it until the determination of any appeal in relation thereto.
- (2) A person sentenced to payment of a fine who remains in custody in default of payment of the fine shall be deemed, for all purposes of the Law and of these Rules, to be a person sentenced to imprisonment.
- (3) Where any person who has been convicted and thereupon sentenced to the payment of a fine and, in default of such payment to imprisonment intimates to the court of trial that he or she desires to appeal against his or her conviction either on grounds of law alone, or, with the certificate of the judge who presided at the trial, on any grounds mentioned in Article 24(1)(b) of the Law, the court of trial may order such person forthwith to give an undertaking (which may be in Form 5), and give or find security, in such amount as the court of trial thinks fit, to prosecute his or her appeal; and, subject thereto, may order that payment of the fine shall be made after the final determination of the appeal, if the same be dismissed.<sup>5</sup>
- (4) An appellant who has been sentenced to the payment of a fine and has paid the same in accordance with the sentence shall, in the event of his or her appeal being successful, be entitled, subject to any order of the Court, to the return of the sum or any part thereof so paid by the appellant.
- (5) If an applicant to whom paragraph (3) applies does not within 28 days from the date of his or her conviction and sentence send to the Judicial

Greffier in accordance with these Rules a notice of appeal on grounds of law alone or, with the certificate of the judge who presided at the trial, on any grounds mentioned in Article 24(1)(b) of the Law, the Judicial Greffier shall report such omission to the court of trial, which may, after notice has been given to the appellant and his or her sureties, if any, order the forfeiture of the security given or found and may order the apprehension of the appellant and commit him or her to prison in default of payment of his or her fine, or make such other order as it thinks fit.<sup>6</sup>

## **12 Exhibits**

- (1) All documents and exhibits produced at a trial or other proceeding in relation to which an appeal or application may lie, shall be retained by the Judicial Greffier for the period of 30 days after the day on which such trial or other proceeding is determined unless the court of trial otherwise directs, in which case it may make such order as it thinks fit for the custody, disposal, inspection or production of such documents or exhibits or of any part thereof.<sup>7</sup>
- (2) Where no notice under Rule 3(1) is lodged within the said period of 30 days, all such documents and exhibits shall be returned to the person who produced them, subject to any order as to destruction or forfeiture or re-vesting or restitution of property which may have been made by the court of trial.<sup>8</sup>

## **13 Copies of documents and exhibits**

- (1) An appellant's advocate may obtain from the Judicial Greffier, on payment, copies of any document or exhibit in the Judicial Greffier's custody for the purposes of an appeal.
- (2) Where an advocate is assigned to an appellant by the Bâtonnier, copies of any documents or exhibits which such advocate may request the Judicial Greffier to supply shall without charge be supplied unless the Judicial Greffier thinks that they are not necessary for the purposes of the appeal.
- (3) Where an appellant who is not legally represented requires from the Judicial Greffier a copy of any document or exhibit in the Judicial Greffier's custody for the purposes of the appellant's appeal, the appellant may obtain it free of charge if the Judicial Greffier thinks, under all the circumstances, that it is desirable or necessary to supply the same to the appellant.

## **14 Record of proceedings at trial<sup>9</sup>**

For the purposes of Article 42 of the Law, "proceedings at the trial" includes the decision of the court of trial on any objection to the indictment and, in relation to any challenge of jurors, the evidence adduced at the trial and any objections taken in the course thereof, with the decision of the court of trial thereon, the summing up, the verdict and the sentence of the court of trial, but, unless otherwise ordered by the court of trial, shall not include any part of the speeches

for the prosecution or defence, unless an objection be taken during any such speech.

### **15 Proceedings before a single judge**

- (1) When any power of the Court has been exercised by a single judge under Article 41 of the Law, the Judicial Greffier shall notify the appellant or applicant of the decision in Form 6 and, in the event of the judge refusing all or any of the applications made to the Judicial Greffier, the Judicial Greffier on notifying such refusal to the appellant or applicant shall forward to the appellant or applicant Form 7.
- (2) If the appellant or applicant desires to have his or her application determined by the Court as duly constituted for the hearing of appeals, he or she, or his or her advocate, shall complete and return the said Form 7 to the Judicial Greffier within 5 days from the date of the notification of such refusal and, if the Form is not completed and returned within the said period of 5 days, the refusal of the application by such judge shall be final and conclusive.<sup>10</sup>
- (3) <sup>11</sup>
- (4) <sup>12</sup>
- (5) For the purpose of constituting a Court, the judge who has refused any such application may sit as a member of such Court and take part in determining such application.

### **16 Supplemental powers of court**

- (1) Where the Court has made an order directing any witness to attend and be examined before the Court or before any other person appointed by the Court for the purpose under Article 34 of the Law, a notice in Form 9 shall be served on such witness specifying the time and place at which to attend for such purpose.
- (2) Such order may be made on the application at any time of the Attorney General or the appellant, but if the appellant is in custody and not legally represented the application shall be made by the appellant in Form 10.
- (3) Where the examination of any witness is to be conducted otherwise than before the Court itself, such order shall specify the person appointed as examiner to take such examination and the witness or witnesses to be examined thereat.
- (4) The Judicial Greffier shall furnish to the person appointed to take such examination any documents or exhibits and any other material relating to the appeal as and when requested to do so and, after the examination has been concluded, the examiner shall return to the Judicial Greffier all such documents and exhibits and other material, together with any depositions taken by the examiner under this Rule.
- (5) The examiner shall give notice of the time and place for the examination to the Attorney General and the appellant and his or her advocate, if any,

and shall cause to be served on every witness to be examined a notice in Form 9, and such notice shall be deemed to be an order of the Court on such witness to attend at the time and place specified therein.

- (6) Every witness examined before an examiner under this Rule shall give evidence on oath to be administered by the examiner, except where any such witness, if the witness were giving evidence as a witness on a trial on indictment, would not need to be sworn.
- (7) The evidence of any witnesses ordered to attend and be examined before the Court or before any other person appointed by the Court for the purpose shall be taken in accordance with the existing law and practice regulating the taking of evidence in criminal trials in Jersey.
- (8) The Attorney General and the appellant or his or her advocate shall be entitled to be present at and take part in any examination of any witness to which this Rule relates.
- (9) When an order of reference is made by the Court under Article 34(d) of the Law, the question to be referred and the person to whom as special commissioner the same is referred shall be specified in such order, and the Court may in such order, or by giving directions as and when it from time to time thinks fit –
  - (a) specify whether the Attorney General or the appellant or any person on their behalf may be present at any examination or investigation or at any stage thereof as may be ordered under Article 34(d) of the Law;
  - (b) specify any and what powers of the Court under the Law or these Rules may be delegated to such special commissioner;
  - (c) require the special commissioner from time to time to make interim reports to the Court on the question referred to him or her under Article 34(d) of the Law;
  - (d) if the appellant is in custody, give leave to him or her to be present at any stage of such examination or investigation; and
  - (e) require the Judicial Greffier to furnish copies of any report made by such special commissioner to the Attorney General and to the appellant.
- (10) The Court may, at any stage of an appeal, whenever it thinks it necessary or expedient in the interest of justice so to do, on the application of the Attorney General or the appellant, order any person having the custody or control of any document, exhibit or other thing connected with the proceedings to produce the same to the Judicial Greffier or before the Court.
- (11) Service of any order made under this Rule shall be personal service, unless the Court otherwise orders, and shall be effected through the medium of the Viscount's Department.

## **17 Notifications regarding appeals**

- (1) <sup>13</sup>

- (2) On the final determination of an appeal, the Judicial Greffier shall, if the appellant is in custody and has not been present at such final determination, give notice of such determination in Form 11 to the appellant.<sup>14</sup>

## **18 Notice of decision**

When the Court has heard and dealt with any application, the Judicial Greffier shall give to the appellant, if the appellant is in custody and has not been present at the hearing of such application, notice of the decision of the Court in Form 8.

## **19 Miscellaneous provisions**

- (1) If an appellant or an applicant for leave to appeal desires to present his or her case and argument in writing instead of orally he or she shall state such case or argument in his or her notice of appeal or notice of application for leave to appeal.
- (2) Unless the Court otherwise allows, an appellant or an applicant for leave to appeal who has presented his or her case and argument in writing shall not be entitled to submit in addition an oral argument to the Court in support of the appeal or application for leave to appeal.

## **20 Applications**

Except where otherwise provided in these Rules, any application to the Court may be made by the appellant or by his or her advocate orally or in writing, but an appellant who is represented and is in custody and is not entitled or has not obtained leave to be present before the Court at proceedings preliminary or incidental to the appeal, shall make any such application by forwarding the same in writing to the Judicial Greffier, who shall take the proper steps to obtain the decision of the Court thereon.<sup>15</sup>

## **21 Non-compliance with rules**

- (1) Non-compliance with these Rules or with any rule of practice for the time being in force under the Law shall not prevent the further prosecution of an appeal or application if the Court or a judge thereof considers that such non-compliance was not wilful and that the same may be waived or remedied by amendment or otherwise.
- (2) The Court or a judge thereof may in such manner as it or the judge thinks fit direct the remedy of such non-compliance, and thereupon the appeal shall proceed.
- (3) The Judicial Greffier shall forthwith notify to the appellant or applicant any directions given by the Court or a judge thereof under this Rule, if the appellant or applicant was not present at the time when such directions were given.

**22 Extension of time**

The Court or a judge thereof may extend the time appointed by these Rules or by any rule of practice for the time being in force under the Law for doing any act or taking any proceeding.

**23 Reference by Lieutenant-Governor<sup>16</sup>**

When the Lieutenant-Governor exercises his or her powers under Article 43(a) of the Law and refers the whole case to the Court of Appeal, the petitioner whose case is so dealt with shall be deemed to be for all the purposes of the Law or these Rules a person who has obtained from the Court of Appeal leave to appeal, and the Court of Appeal may proceed to deal with his or her case accordingly.<sup>17</sup>

**24 Private consideration**

Where the Lieutenant-Governor refers a point to the Court of Appeal under Article 43(b) of the Law, the Court of Appeal shall, unless it otherwise determines, consider such point in private.<sup>18</sup>

**25 Citation**

These Rules may be cited as the Court of Appeal (Criminal) Rules 1964.

**SCHEDULE<sup>19</sup>**

**FORMS**

**FORM 1**

(Rule 3)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**NOTICE OF APPEAL OR APPLICATION FOR LEAVE TO APPEAL  
AGAINST CONVICTION OR SENTENCE**

To the JUDICIAL GREFFIER

Name of Appellant .....

<sup>(1)</sup> e.g., Larceny, Forgery, etc.

Offence of which convicted by the Royal Court<sup>1</sup>  
.....

Sentence  
.....

<sup>(2)</sup> Set out the actual date on which the appellant was convicted or sentenced.

Date when convicted<sup>2</sup>  
.....

Date when sentence passed<sup>2</sup>  
.....

<sup>(3)</sup> If in custody write "H.M. Prison".

Address in full<sup>3</sup>  
.....

<sup>(4)</sup> If the appellant wishes to appeal against conviction he or she must write the word "conviction". If the appellant wishes to appeal against sentence he or she must write the word "sentence". If the appellant wishes to appeal against both conviction and sentence he or she must write the words "conviction and sentence".

I, the above-named appellant, hereby give you notice that I desire to appeal to the Court of Appeal against my<sup>4</sup>  
.....  
on the grounds hereinafter set forth on page 2 of this notice.

(Signed)

.....  
(Appellant).

<sup>(5)</sup> If this notice is signed more than 28 days after the conviction or sentence appealed against the appellant must also fill in Form 2 and send it with this notice.

Dated this<sup>5</sup> ..... day of ....., 20 ....

<sup>(6)</sup> The appellant must answer each of these questions.

*Questions*<sup>6</sup>

*Answers*

- 1. Did the judge who presided at your trial grant you a certificate that it was a fit case for appeal? .....
- 2. Is any advocate now acting for you? If so, give the advocate's name .....
- 3. Do you desire to be present when the Court considers your appeal?<sup>7</sup> .....
- 4. Do you desire to apply for leave to call any witnesses on your appeal? .....

<sup>(7)</sup> An appellant is not entitled to be present on the hearing of an application for leave to appeal or where the appeal is on some ground involving a question of law alone.

If your answer to this question is "yes", you must also fill in Form 10 and send it with this notice.

<sup>(8)</sup> These must be filled in before the notice is sent to the Judicial Greffier.

Grounds of Appeal or Application<sup>8</sup>

The appellant must here set out the grounds on which he or she contends that his or her conviction should be quashed or the sentence reduced.

If one of the grounds set out is misdirection by the judge, particulars of such alleged misdirection must be set out in this notice.

*Note.*— The appellant can also, if he or she wishes, set out, in addition to the appellant's above grounds, his or her case and argument fully, but, if the appellant does so, he or she cannot address the court at the hearing of his or her appeal, unless the court gives him or her leave to do so.



**FORM 2**

(Rule 3)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**NOTICE OF APPLICATION FOR EXTENSION OF TIME  
WITHIN WHICH TO APPEAL**

*To the JUDICIAL GREFFIER*

<sup>(1)</sup> Here state  
offence – e.g.  
Larceny, Forgery,  
etc.

I, \_\_\_\_\_,  
having on the \_\_\_\_\_ day of, \_\_\_\_\_ 20 \_\_\_\_\_,  
been convicted by the Royal Court of the offence of<sup>1</sup>  
\_\_\_\_\_and being now in Her Majesty’s  
Prison<sup>2</sup>  
\_\_\_\_\_

<sup>(3)</sup> Here set out  
clearly and  
concisely the  
reasons for the  
delay in giving  
such notice, on the  
grounds on which  
you submit that  
the court should  
extend the time.

*Give you Notice* that I hereby apply to the Court of  
Appeal for an extension of the time within which I  
may give notice of appeal (or notice of application  
for leave to appeal), on the grounds following –<sup>3</sup>  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Signed) \_\_\_\_\_  
(Appellant).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

**Note. – Form 1 must be filled up and sent with  
this notice to the Judicial Greffier.**

**FORM 3**

(Rule 8)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**NOTICE OF ABANDONMENT**

*To the* JUDICIAL GREFFIER

I, ....., having been convicted of ..... by the Royal Court and having desired to appeal against my conviction [or the sentence of ..... passed upon me on my conviction] and having duly sent notice to that effect to the Court of Appeal, do hereby give you notice that I do not intend further to prosecute my appeal, but that I hereby abandon all further proceedings in regard thereto as from the date hereof.

(Signed)

.....

(Appellant)

In the presence of

.....

(Witness)

Dated this ..... day of ....., 20 .....

**FORM 4**

(Rule 9)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**JUDGE'S CERTIFICATE**

\_\_\_\_\_  
**In the Royal Court of Jersey**  
\_\_\_\_\_

ATTORNEY GENERAL v

<sup>(1)</sup> State shortly the offence, e.g., Larceny, Murder, Forgery, etc.

WHEREAS .....  
was tried and convicted by the Royal Court on the .....day of ....., 20 ....., on an indictment charging the person with<sup>1</sup> .....  
and was thereupon sentenced to .....  
.....

<sup>(2)</sup> Here specify in general terms the grounds on which this certificate is granted.

I DO HEREBY CERTIFY that the case is a fit case for an appeal by the said to the Court of Appeal under Article 24(1)(b) of the Court of Appeal (Jersey) Law 1961, on the following grounds<sup>2</sup>

(Signed)

Bailiff.

Dated this                    day of                    , 20

**FORM 5**

(Rule 11)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**UNDERTAKING TO PROSECUTE APPEAL**

I, ....., having been convicted by the Royal Court of Jersey on the ..... day of ....., 20.. of the following offence(s), viz;<sup>1</sup> ..... and sentenced to a fine of ..... and having intimated to the Royal Court that I desire to appeal against my conviction, HEREBY UNDERTAKE that I will prosecute my appeal in accordance with the Court of Appeal (Jersey) Law 1961.

<sup>(1)</sup> e.g. Larceny, Assault, etc.

And furthermore I bind myself unto the Royal Court in the sum of ..... pounds faithfully to observe this undertaking.

And having been directed by the Royal Court to find security in the sum of ..... pounds, I hereby produce ..... who has declared that he/she will stand security on my behalf in the said sum.

(Signed) .....

(Appellant)

Dated this ..... day of ....., 20.....

<sup>(2)</sup> Delete "which sum I now produce" if not applicable.

And I ..... of ..... do hereby acknowledge that I am bound unto the Royal Court in the sum of ..... pounds, which sum I now produce,<sup>2</sup> for the observance by the abovenamed..... of the undertaking to which he/she has hereinbefore subscribed his/her name.<sup>3</sup>

<sup>(3)</sup> This paragraph to be completed and signed by the person standing security for the appellant.

(Signed) .....

Dated this ..... day of ....., 20.....

**FORM 6**

(Rule 15)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**NOTIFICATION OF RESULTS OF APPLICATIONS DEALT  
WITH UNDER ARTICLE 41**

ATTORNEY GENERAL *v.* (Appellant).

THIS IS TO GIVE YOU NOTICE that the Bailiff/a Judge of the Court of Appeal, acting under Article 41 of the Law, has considered the application of the above-named appellant for –

- (a) Extension of the time within which notice of appeal or application for leave to appeal may be given;
- (b) Leave to appeal;
- (c) Bail;
- (d) Permission to be present at proceedings preliminary or incidental to the appeal,

and has determined the same, and has

*Judicial Greffier.*

Dated this ..... day of ..... , 20

To the above-named Appellant.

*Note.* If any of the above-mentioned applications has been refused, the appellant may, if he or she so desires, have the same determined by the full Court of Appeal as duly constituted for the hearing of appeals. In such case he or she must give notice of appeal to the Judicial Greffier on Form 7, within 5 days from the date above

**FORM 7**

(Rule 15)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**NOTICE OF APPEAL FROM JUDGE UNDER ARTICLE 41**

*To the JUDICIAL GREFFIER.*

ATTORNEY GENERAL *v.* (Appellant).

I, the above-named appellant, having received your notification that my applications for –

- (a) Extension of the time within which notice of appeal or application for leave to appeal may be given;
- (b) Leave to appeal;
- (c) Bail;
- (d) Permission to be present at proceedings preliminary or incidental to the appeal,

have been refused by the Bailiff/a Judge of the Court of Appeal; DO HEREBY GIVE YOU NOTICE that I desire that the said applications shall be considered and determined by the Court of Appeal.

(Signed).....  
(Appellant).

Dated this ..... day of ....., 20.....

If you wish to state any reasons in addition to those set out by you in your original notice\* upon which you submit that the Court of Appeal should grant your said applications, you may do so in the space below.

Are you legally represented? .....

Do you desire to be present at the hearing of the above application by the Court? .....

\* You should not repeat reasons that you have already stated in previous notices.

**FORM 8**

(Rule 15 and 18)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**NOTIFICATION OF RESULTS OF APPLICATIONS TO  
THE FULL COURT**

ATTORNEY GENERAL v. (Appellant).

THIS IS TO GIVE YOU NOTICE that the Court of Appeal, as duly constituted for the hearing of appeals under the Law, has this day considered the application of the above-named appellant for –

- (a) Extension of the time within which notice of appeal or application for leave to appeal may be given;
- (b) Leave to appeal;
- (c) Bail;
- (d) Permission to be present at proceedings preliminary or incidental to the appeal,

and has determined the same, and has

*Judicial Greffier.*

Dated this                      day of                      , 20   .

To the above-named Appellant.

**FORM 9**

(Rule 16)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**ORDER TO WITNESS TO ATTEND COURT OR BEFORE  
EXAMINER**

ATTORNEY GENERAL *v.* (Appellant).

To ..... of ..... (name, etc., of witness).

WHEREAS on good cause shown to the Court of Appeal you have been ordered to attend and be examined as a witness before on the appeal of the above-named.

THIS IS TO GIVE YOU NOTICE to attend before ..... on ..... the ..... day of ....., 20 , at ..... at ..... am/pm. You are also required to have with you at the said time and place any books, papers or other things relating to the said appeal which you may have had notice so to produce.

*Viscount.*

Dated this ..... day of ..... , 20 .



**FORM 10**

(Rule 16)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**NOTICE OF APPLICATION FOR LEAVE TO CALL  
FURTHER EVIDENCE \***

(\* A separate form must be filled up for each witness.)

*To the* JUDICIAL GREFFIER

ATTORNEY GENERAL *v.* (Appellant).

I, the above-named appellant, hereby give you notice that I wish to apply to the Court of Appeal for leave to call the following witness, or to have the following witness examined before

(Signed).....  
(Appellant).

Dated this ..... day of ....., 20.....

1. Name and address of .....  
witness

.....

2. Was the witness examined  
at the trial? .....

.....

If not, why was not the  
witness so examined? .....

.....

3. State shortly the evidence  
the witness can give.

**FORM 11**

(Rule 17)

\_\_\_\_\_  
Court of Appeal (Jersey) Law 1961  
\_\_\_\_\_

**NOTIFICATION OF RESULT OF APPEAL.**

ATTORNEY GENERAL v. (Appellant).

To the above-named appellant.

This is to give you notice that the Court of Appeal having considered the matter of your appeal, has finally determined the same, and has this day given judgment to the effect of the following

–

[here shortly state the judgment of the Court, e.g., that the appeal is dismissed or that the sentence against which the appellant appealed be altered from ..... to ..... or as the case may be].

*Judicial Greffier.*

Dated this                      day of                      , 20   .

**ENDNOTES****Table of Legislation History**

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
Court of Appeal (Criminal) (Jersey) Rules 1964	R&O.4563	5 June 1964
Court of Appeal (Criminal) (Amendment) Rules 2009	R&O.83/2009	3 August 2009

**Table of Renumbered Provisions**

<b>Original</b>	<b>Current</b>
1(1)	25
(2)	1(1)
(3)	(2)

**Table of Endnote References**


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<sup>1</sup>	<i>chapter 07.245</i>
<sup>2</sup>	<i>chapter 07.245</i>
<sup>3</sup> Rule 9(2)	<i>amended by R&amp;O.83/2009</i>
<sup>4</sup> Rule 10	<i>deleted by R&amp;O.83/2009</i>
<sup>5</sup> Rule 11(3)	<i>amended by R&amp;O.83/2009</i>
<sup>6</sup> Rule 11(5)	<i>amended by R&amp;O.83/2009</i>
<sup>7</sup> Rule 12(1)	<i>amended by R&amp;O.83/2009</i>
<sup>8</sup> Rule 12(2)	<i>amended by R&amp;O.83/2009</i>
<sup>9</sup> Rule 14	<i>heading substituted by R&amp;O.83/2009</i>
<sup>10</sup> Rule 15(2)	<i>amended by R&amp;O.83/2009</i>
<sup>11</sup> Rule 15(3)	<i>deleted by R&amp;O.83/2009</i>
<sup>12</sup> Rule 15(4)	<i>deleted by R&amp;O.83/2009</i>
<sup>13</sup> Rule 17(1)	<i>deleted by R&amp;O.83/2009</i>
<sup>14</sup> Rule 17(2)	<i>amended by R&amp;O.83/2009</i>
<sup>15</sup> Rule 20	<i>amended by R&amp;O.83/2009</i>
<sup>16</sup> Rule 23	<i>heading amended by R&amp;O.83/2009</i>
<sup>17</sup> Rule 23	<i>amended by R&amp;O.83/2009</i>
<sup>18</sup> Rule 24	<i>amended by R&amp;O.83/2009</i>
<sup>19</sup> Schedule	<i>amended by R&amp;O.83/2009</i>