



# Criminal Appeal Act 1968

## 1968 CHAPTER 19

### PART I **E+W**

#### APPEAL TO COURT OF APPEAL IN CRIMINAL CASES

##### *Procedure from notice of appeal to hearing*

#### 18 Initiating procedure. **E+W**

- (1) A person who wishes to appeal under this Part of this Act to the Court of Appeal, or to obtain the leave of that court to appeal, shall give notice of appeal or, as the case may be, notice of application for leave to appeal, in such manner as may be directed by rules of court.
- (2) Notice of appeal, or of application for leave to appeal, shall be given within twenty-eight days from the date of the conviction, verdict or finding appealed against, or in the case of appeal against sentence, from the date on which sentence was passed or, in the case of an order made or treated as made on conviction, from the date of the making of the order.
- (3) The time for giving notice under this section may be extended, either before or after it expires, by the Court of Appeal.

#### **Modifications etc. (not altering text)**

- C1** S. 18 excluded (1.10.1997 for specified purposes and otherwise *prosp.*) by 1997 c. 43, **ss. 5(2), 57(2)**; S.I. 1997/2200, **art. 2(1)(d)** (with art. 5)  
S. 18 excluded (25.8.2000) by 2000 c. 6, **ss. 112(2), 168(1)**
- C2** S. 18 excluded (4.4.2005) by Criminal Justice Act 2003 (c. 44), **ss. 231(2), 336(3)(4)**; S.I. 2005/950, **art. 2(1), Sch. 1 para. 18** (with Sch. 2)
- C3** S. 18(2) modified by Supreme Court Act 1981 (c. 54, SIF 37), **s. 47(5)**  
S. 18(2) modified (25.8.2000) by 2000 c. 6, **ss. 155(6)(a), 168(1)** (with s. 155(8), Sch. 10 paras. 11, 19)
- C4** S. 18(2) modified (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), **ss. 15(5)(a), 458(1)**; S.I. 2003/333, **art. 2, Sch.**

*Status: Point in time view as at 08/01/2007.*

*Changes to legislation: Criminal Appeal Act 1968, Cross Heading: Procedure from notice of appeal to hearing is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- C5** S. 18(2) modified (24.7.2006 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), **ss. 48(5)(b), 336(3)(4)** (with s. 48(4)); S.I. 2006/1835, art. 2(f)
- C6** S. 18(2) modified (8.1.2007) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), **ss. 19(4)(b)(5), 60** (with ss. 19(7), 21(2)); S.I. 2006/3423, art. 2(a) (with art. 3)

## [<sup>F1</sup>18A Appeals in cases of contempt of court. **E+W**

- (1) A person who wishes to appeal under section 13 of the Administration of Justice Act <sup>M1</sup>1960 from any order or decision of the Crown Court in the exercise of jurisdiction to punish for contempt of court shall give notice of appeal in such manner as may be directed by rules of court.
- (2) Notice of appeal shall be given within twenty-eight days from the date of the order or decision appealed against.
- (3) The time for giving notice under this section may be extended, either before or after its expiry, by the Court of Appeal.]

### Textual Amendments

- F1** S. 18A inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, Sch. 8 para. 16, **Sch. 15 para. 25**

### Marginal Citations

- M1** [1960 c.65 \(37, 39:1\)](#).

## [<sup>F2</sup>19 Bail. **E+W**

- (1) The Court of Appeal may [<sup>F3</sup>, subject to section 25 of the Criminal Justice and Public Order Act 1994,] if they think fit,—
  - (a) grant an appellant bail pending the determination of his appeal; or
  - (b) revoke bail granted to an appellant by the Crown Court under paragraph (f) of section 81(1) of the Supreme Court Act 1981 [<sup>F4</sup>or paragraph (a) above]; or
  - (c) vary the conditions of bail granted to an appellant in the exercise of the power conferred by [<sup>F5</sup>either of those paragraphs]
- (2) The powers conferred by subsection (1) above may be exercised—
  - (a) on the application of an appellant; or
  - (b) if it appears to the registrar of criminal appeals of the Court of Appeal (hereafter referred to as “the registrar”) that any of them ought to be exercised, on a reference to the court by him]

### Textual Amendments

- F2** S. 19 substituted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 29(2)(6)**
- F3** Words in s. 19(1) inserted (10.4.1995) by [1994 c. 33, s. 168\(2\)](#), **Sch. 10 para. 22**; S.I. 1995/721, art. 2, **Sch. Appendix A**
- F4** Words inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, Sch. 8 para. 16, **Sch. 15 para. 26(a)**

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**F5** Words substituted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, Sch. 8 para. 16, [Sch. 15 para. 26\(b\)](#)

[<sup>F6</sup>**20** **Disposal of groundless appeal or application for leave to appeal.** **E+W**]

If it appears to the registrar that a notice of appeal or application for leave to appeal does not show any substantial ground of appeal, he may refer the appeal or application for leave to the Court for summary determination; and where the case is so referred the Court may, if they consider that the appeal or application for leave is frivolous or vexatious, and can be determined without adjourning it for a full hearing, dismiss the appeal or application for leave summarily, without calling on anyone to attend the hearing or to appear for the Crown thereon.]

**Textual Amendments**

**F6** S. 20 substituted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 157, [Sch. 8 para. 16](#)

**21** **Preparation of case for hearing.** **E+W**

- (1) The registrar shall—
  - (a) take all necessary steps for obtaining a hearing of any appeal or application of which notice is given to him and which is not referred and dismissed summarily under the foregoing section; and
  - (b) obtain and lay before the Court of Appeal in proper form all documents, exhibits and other things which appear necessary for the proper determination of the appeal or application.
- (2) Rules of court may enable an appellant to obtain from the registrar any documents or things, including copies or reproductions of documents, required for his appeal and may authorise the registrar to make charges for them in accordance with scales and rates fixed from time to time by the Treasury.

**Status:**

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