
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 40

**APPEAL TO THE COURT OF APPEAL ABOUT
REPORTING OR PUBLIC ACCESS RESTRICTION**

Form of appeal notice

- 40.3.**—(1) An appeal notice must be in the form [^{F1}issued under] the Practice Direction.
- (2) The appeal notice must—
- (a) specify the order 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, with reasons—
 - (i) an application for permission to appeal,
 - (ii) any application for an extension of time within which to serve the appeal notice,
 - (iii) any application for a direction to attend in person a hearing that the appellant could attend by live link, if the appellant is in custody,
 - (iv) any application for permission to introduce evidence, and
 - (v) a list of those on whom the appellant has served the appeal notice; ^{F2}...
 - (f) attach any document or thing that the appellant thinks the court will need to decide the appeal [^{F3}and include or attach an electronic link to each such document that has been made available to the Registrar under rule 36.8(1)(a) (Duty of Crown Court officer); and]
 - [^{F4}(g) include or attach—
 - (i) an electronic copy of any authority identified under paragraph (2)(d), or
 - (ii) if two or more such authorities are identified, electronic copies of each together in a single electronic document.]

[Note. An appellant needs the court's permission to appeal in every case to which this Part applies.

A Court of Appeal judge may give permission to appeal under section 31(2B) of the Criminal Appeal Act 1968(1).]

(1) 1968 c. 19; section 31(2B) was inserted by section 170 of, and paragraphs 20 and 30 of Schedule 15 to, the Criminal Justice Act 1988 (c. 33).

Changes to legislation: There are currently no known outstanding effects for the
The Criminal Procedure Rules 2020, Section 40.3. (See end of Document for details)

Textual Amendments

- F1** Words in rule 40.3(1) substituted (2.10.2023) by [The Criminal Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/786\)](#), rule 1, **Sch. para. 44**
- F2** Word in rule 40.3(2)(e) omitted (5.4.2021) by virtue of [The Criminal Procedure \(Amendment\) Rules 2021 \(S.I. 2021/40\)](#), rules 2(i), **24(a)(i)**
- F3** Words in rule 40.3(2)(f) inserted (5.4.2021) by [The Criminal Procedure \(Amendment\) Rules 2021 \(S.I. 2021/40\)](#), rules 2(i), **24(a)(ii)**
- F4** Rule 40.3(2)(g) inserted (5.4.2021) by [The Criminal Procedure \(Amendment\) Rules 2021 \(S.I. 2021/40\)](#), rules 2(i), **24(a)(iii)**

Commencement Information

- I1** Rule 40.3 in force at 5.10.2020, see Preamble

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Procedure Rules 2020, Section 40.3.