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|  | **The Court of Appeal Criminal Division**  NOTICE and GROUNDS of OPPOSITION to an application for leave to appeal and appeal by the prosecutor or person with interest in property  s.31 Proceeds of Crime Act 2002 | **Form**  **POCA 2** |

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| Write in BLACK INK and use BLOCK CAPITALS | **CAO No.** |

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| **The Respondent**  Give full name  If in custody give prison address where detained | Surname |  | | |
| Forenames |  | | |
| Prison Index No. (if applicable) |  | | |
| Address |  | | |
|  |  | | |
| Postcode |  | Date of birth |  |
| Solicitors details (if any) |  | | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Confiscation Hearing** | at |  | | | Crown Court |
| Name of judge |  | | | |
| Dates of hearing |  | Indictment number |  | |

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| **The Respondent is applying for:** | *(Please tick as appropriate)***:** | | | |
|  |  |  | a) an extension of time in which to give notice of opposition to appeal |
|  |  |  |  |
|  |  |  | b) to oppose the application for leave to appeal |
|  |  |  |  |
|  |  |  | c) a witness order |
|  |  |  |  |
|  |  |  | d) leave to adduce evidence |
|  |  |  |  |  |
|  |  |  |  | e) leave to be present on the hearing of the appeal\* or any proceedings preliminary or incidental to it *(\*only necessary if respondent is in custody and where the appeal is on some ground involving a question of law alone)* |
|  |  |  |  |
|  |  |  |  | f) representation order if leave to appeal is granted to the appellant (Prosecution / Person with interest in property) *(advice and assistance in completing this form is covered by any undischarged Crown Court representation order)* |
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| **Grounds of opposition** | Summarise the arguments you intend to put to the Court of Appeal, specifying any authorities to be cited. |
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| **Reasons** | I am applying for an extension of time in which to give notice of opposition to appeal because: | |
|  | |
| *Please state*  *i) the name of the witness(es) and give brief details of the evidence to be given, attaching a witness statement or affidavit;*  *ii) the reason(s) why this evidence was not adduced at the hearing below;*  *iii) whether you are seeking a witness order(s)* | I am applying for leave to adduce the following evidence: | |
|  | |
|  | I am applying for leave to be present on the hearing of the appeal or any proceedings preliminary or incidental to it because: | |
|  | |
| **Date on which you received the Appellant’s Notice of Appeal** | |  |

|  |  |  |  |  |  |  |
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| **Signature and certificate of service** | I certify that on | |  | | I served the appellant with a copy of this notice and grounds | |
|  |  | | | | | |
|  | Signature of respondent | | |  | | |
|  | Date | | |  | | |
| Details of any person signing on behalf of the respondent: | Name |  | | | | Solicitor / Counsel  *(delete as appropriate)* |
| Address |  | | | | |
|  |  | | | | |
| Postcode |  | | | | |
| Solicitors Ref. |  | | | | |

**On completion please send this form to the Registrar of Criminal Appeals. If you are in custody you may pass the completed form to a prison officer.**

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| **For Prison Use** | I handed the Appellants Notice and Grounds of Appeal to the defendant today | | |
|  | Signed |  | Prison Officer |
|  | This completed form was handed to me by the defendant today. | | |
|  | Signed |  | Prison Officer |
|  | Date |  |  |

|  |  |  |  |
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| **For Criminal Appeal Office Use** | | | |
| Received (date) |  | Acknowledged (date) |  |