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| APPEAL BY A CHIEF OFFICER OF POLICE TO THE CROWN COURT FROM A MAGISTRATES’ COURT **APPEAL AGAINST A DECISION ON AN APPLICATION RELATING TO A DOMESTIC ABUSE PROTECTION ORDER** (Domestic Abuse Act 2021 - sections 46(1) & 46(5)) |
| Use this form ONLY for an appeal to the Crown Court under section 46 Domestic Abuse Act against a decision on an application relating to a domestic abuse protection order. |
| **Important notice**  (1) an appeal hearing can go ahead even if you do not attend.  (2) if your appeal fails, the court can make a costs order against you. |
| Appellant’s name and address Name:  Address:  Email address:  Phone: Mobile:  Appeal from …………………………………. Magistrates’ Court  Magistrates’ reference number (if known):  Appeal to the Crown Court at:  Representative’s name:  Representative’s address:  Representative’s email address:  Phone:Mobile: |
| **1. Complete the box above and give the details required in the boxes below.** If you use an electronic version of this form, the boxes will expand. If you use a paper version and need more space, you may attach extra sheets.  2. Sign and date the completed form.  **3.** **Send the completed form to the magistrates’ office AND the defendant.** If any party is in custody, please tell the court. Make sure this appeal notice reaches **both** those offices **not more than 15 business days[[1]](#footnote-1) after the date the decision was made which you are appealing against.** Otherwise, you will have to ask the Crown Court for permission to appeal out of time and the court may refuse. |

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| This is an appeal to the Crown Court under:  ☐ section 46(1) Domestic Abuse Act 2021 – appeal against any decision of a court on an application for a domestic abuse protection order under section 28 (to the extent that it would not otherwise be so appealable)  ☐ section 46(5) Domestic Abuse Act 2021 - appeal against any decision of a court under section 44 in relation to a domestic abuse protection order (to the extent it would not otherwise be so appealable, whether under subsection (4) or otherwise).  This is an appeal to the Crown Court:   1. Give brief details of the magistrates’ court decision about which you are appealing. Please include the date of that decision. 2. Why are you appealing? Please provide the reasons for your appeal. 3. What other information do you want the Crown Court to consider, in particular? For example, explain any circumstances of which you think the court should take account or information that you think ought to affect the decision the court makes. 4. Why do you think the above circumstances or information matters to your appeal?   If applicable:  **I need an extension of time for this appeal. My appeal is late because:**  Explain why your appeal is late. Attach copies of any letters or other documents you want the court to see. The time limit for appeal against a magistrates’ court decision is 15 business days from the date the decision was made by the magistrates’ court. Only the Crown Court can extend the time limit for appeal.  If applicable:  My appeal should be heard urgently because:  Explain why. Attach copies of any letters or other documents you want the court to see. |
| Case management in the Crown Court  Answer the following questions as far as you can. If you do not know the answer to a question, say so. Any answers that you can give will help the Crown Court to arrange an effective appeal hearing, even if you cannot answer every question.   1. How long did the hearing last in the magistrates’ court? Say if you don’t know or you aren’t sure. 2. Do any of your witnesses require an interpreter? 3. Are you intending to call any witnesses who require special measures? If so, what type will you applying for? 4. How long do you expect the appeal hearing to last in the Crown Court? Say if you don’t know or you aren’t sure. |
| **Signed**[[2]](#footnote-2)\*: …………………………………………… **[appellant / appellant’s representative]**  **Date**: …………………………. |

1. This means any day except Saturday, Sunday, Christmas Day, Boxing Day, Good Friday, Easter Monday or a bank holiday. [↑](#footnote-ref-1)
2. \* If you use an electronic version of this form, you may instead authenticate it electronically (e.g. by sending it from an email address recognisable to the recipient). See Criminal Procedure Rules, rule 5.3. [↑](#footnote-ref-2)