

CONTENTS

1. INTRODUCTION	1
2. PRELIMINARY CONSIDERATIONS	3
IS THERE A RIGHT OF APPEAL?	3
SHOULD YOUR CLIENT APPEAL?	3
NOW YOU HAVE DECIDED TO APPEAL	3
<i>Know the File – Know the Facts</i>	3
3. JURISDICTION	5
WHICH COURT? A SHORT GUIDE	6
FILING AND SERVICE	6
FORMS	6
4. GENERAL APPEALS	9
BAIL APPEALS	9
NAME SUPPRESSION APPEALS	10
APPEALS IN THE HIGH COURT	11
THE APPEAL PROCESS	11
THE OPTION OF APPLYING TO THE FIRST INSTANCE COURT FOR A REHEARING	12
5. APPEALS AGAINST PRE-TRIAL RULINGS	13
JUDGE ALONE CASES	13
JURY TRIALS	14
APPLICABLE RULES	15
ARGUING LEAVE APPLICATIONS	15
WHAT OF SECOND PRE-TRIAL APPEALS?	16
PRACTICAL CONSIDERATIONS	16
THE HEARING OF PRE-TRIAL APPEALS	17
6. APPEALS ON QUESTIONS OF LAW	19
7. APPEALS TO THE COURT OF APPEAL	21
FRESH EVIDENCE	21
FRESH EVIDENCE BY APPELLANT, PARTICULARLY COMPLAINTS ABOUT TRIAL COUNSEL	22
THE GROUNDS OF APPEAL AGAINST CONVICTION	24
<i>Unreasonable verdict ground of appeal</i>	24
<i>Miscarriage of justice</i>	25
<i>Appeals against conviction after guilty plea</i>	25
<i>Nullity</i>	26
<i>An unfair trial</i>	27
<i>Recall/Rehearing Applications</i>	27
8. SENTENCE APPEALS	29
THE CPA REFORMS	29
ISSUES IN SENTENCE APPEALS	29
ORAL ARGUMENT IN SENTENCE APPEALS	30
THE FILING AND EFFECT OF A SENTENCE APPEAL	31
BAIL PENDING APPEAL:	31
CORRECTION OF SENTENCE INSTEAD OF APPEAL	31
9. APPEALS TO THE SUPREME COURT	33
THE IMPORTANCE OF LEAVE	33
APPLICATIONS FOR LEAVE TO APPEAL	34
IF LEAVE IS GRANTED	34
WRITTEN SUBMISSIONS FOR FULL HEARINGS	35
10. THE IMPORTANCE OF WRITTEN SUBMISSIONS ON APPEAL	37

BUNDLES AND MATERIALS	38
11. ORAL ARGUMENT AND EXAMINATION.....	39
ORAL ARGUMENT	39
EXAMINATION OF WITNESSES ON APPEAL.....	40