


COVER PAGE INSTRUCTIONS (please remove table when completed)
Last Updated: December 20, 2023

Step	Action
1	Double click on REQUIRED grey text fields to enter and delete information.
2	Enter appellant and respondent's names below in exactly the same order and format as the Notice of Appeal or Notice of Application for Leave to Appeal unless the Court of Appeal has ordered changes to the style of proceedings.
3	Enter Sealing Order or Publication Ban (if any) referencing legislative provision (or inherent jurisdiction) that authorises the order or ban and the order or ban's precise terms. If none exist, remove placeholder for publication ban or sealing order in cover page template
4	To remove instructions table: Right click mouse on  (top lefthand corner of this table). Select Delete Table .

COURT OF APPEAL FILE NO. Enter CA file number: example CA12345
 Enter Name of First Appellant vs. Name of First Respondent
 Appellant's Statement on Sentence

COURT OF APPEAL

ON APPEAL FROM the order of [Enter the name of the judge] of the [Enter the court or tribunal where the order being appealed was made, e.g. Supreme Court of B.C.] pronounced on the [Enter the date on which the order being appealed was made]

BETWEEN:

REX

[Enter APPELLANT or RESPONDENT]

AND:

Enter name(s) of parties here

[Enter APPELLANT or RESPONDENT]

Publication Ban or Anonymity Order (if any) : Enter legislative provision (or inherent jurisdiction) and terms.

Sealing Order (if any): Enter legislative provision (or inherent jurisdiction) and terms.

APPELLANT'S STATEMENT ON SENTENCE

[Enter Name of Filing Respondent]

[Enter Name of Appellant]

[Enter Name of Respondent]

[Enter Name of Appellant's counsel, if any]

[Enter Name of Respondent's counsel, if any]

[Enter Address of appellant or, if the appellant is represented, name and address of the appellant's law firm]

[Enter Address of respondent or, if the respondent is represented, name and address of the respondent's law firm]


Telephone: enter appellant's or lawyer's
E-mail: enter appellant's or lawyer's

Telephone: enter respondent's or lawyer's
E-mail: enter respondent's or lawyer's

Enter parties role e.g. Counsel for Appellant

Enter parties role e.g. Counsel for Respondent

STATEMENT OF FACTS


STATEMENT OF FACTS INSTRUCTIONS (please remove table when completed):	
Step	Action
1	Must consist of the appellant's position with respect to the appellant's statement of facts together with a concise statement of any other facts that appellant considers relevant.
2	Sources relied on for a statement of fact (e.g. testimony, an exhibit or the reasons for judgment): must be identified by referring to the volume and page number where it is found in the Appeal Record or Appeal Books or the volume or page number and line number where it is found in the transcript.
3	Consecutive paragraph numbering begins at Statement of Facts
4	To add to paragraph numbering: Enter text and press enter after each paragraph to maintain auto-numbering. (1.5 line spacing and single space between paragraphs required – pre-set in template)
5	To delete numbering use backspace key.
6	To remove instructions table: Right click mouse on  (top lefthand corner of this table)
7	Select Delete Table

1. **Example:** In February 29, 2016 the appellant was found guilty of three counts arising from a home invasion.

Appellant's Appeal Book, Vol. 1, page 1 at para. 3.

- 2.


GROUNDS FOR APPEAL

GROUNDS FOR APPEAL INSTRUCTIONS (please remove table when completed):	
Step	Action
1	Enter the precise ground(s) of appeal to be relied on at the hearing of the appeal. Examples: sentence falling outside the range of sentences for similar situated offenders and similar offences, illegal sentence, failure to give effect to one or more principles of sentencing with particulars of the principle(s) invoked, failure to consider a conditional sentence, etc.
2	Include relevant transcript references.
3	Continue consecutive paragraph numbering from previous section. To add to paragraph numbering: enter text and press enter after each paragraph to maintain auto-numbering. (1.5 line spacing and single space between paragraphs required – pre-set in template)
4	To delete numbering use backspace key.
5	To remove instructions table: Right click mouse on  (top lefthand corner of this table). Select Delete Table .

3. **Example:** The trial judge erred in imposing a sentence of 10 years, as it falls outside the range of sentences for similar offences.
4. **Example Footnote:** The s. 4(1)(a) requirements are met if, assuming the pleadings to be true, it is not clear and obvious that the claims have no chance of success.¹
- 5.

¹ *Hollick v. Toronto (City)*, 2001 SCC 68 at para. 25.

RANGE AND TYPE OF SENTENCE

SENTENCE INSTRUCTIONS (please remove table when completed):	
Step	Action
1	Enter the range and type of sentence which the appellant submits is appropriate for the offence(s) and this offender.
2	Enactments (i.e., acts or regulations) cited or relied on upon may be briefly reproduced in the statement or reproduced in the book of authorities.
3	Continue consecutive paragraph numbering from previous section.
4	To add to paragraph numbering: enter text and press enter after each paragraph to maintain auto-numbering. (1.5 line spacing and single space between paragraphs required – pre-set in template)
5	To delete numbering use backspace key.
6	To remove instructions table: Right click mouse on  (top lefthand corner of this table). Select Delete Table .


6. **Example:** The judge began her reasons by reviewing the principles of sentencing set forth in s. 718 of the *Criminal Code* as well as case authority, beginning with *R. v. Gladue* and *R. v. Ipeelee*.

R. v. Gladue, [1999] 1 S.C.R. 688

R. v. Ipeelee, 2012 SCC 13

7.

POSITION BY CROWN AND DEFENCE COUNSEL

POSITION INSTRUCTIONS (please remove table when completed):	
Step	Action
1	Enter a concise statement of the position taken by Crown counsel and defence counsel before the sentencing judge with respect to the appropriate sentence and the range of sentence.
2	Double click on REQUIRED grey text fields to enter and delete information.
3	Continue paragraph numbering: Enter text and press enter after each paragraph to maintain auto-numbering. (1.5 line spacing and single space between paragraphs required – pre-set in template)
4	Enter in location, month, day and year of statement or reply
5	Enter in names of person submitting statement or reply (lawyer or party).
6	When statement complete, print and sign.
7	To remove instructions table: Right click mouse on  (top lefthand corner of this table). Select Delete Table .

9. **[Enter text here]**


10. All of which is respectfully submitted.

Dated at the City of [Enter location], Province of British Columbia, this [Enter month]
[Enter day] of [Enter year].

[Enter lawyer's name or party's name]

Appellant

LIST OF AUTHORITIES

AUTHORITIES INSTRUCTIONS (please remove table when completed):	
Step	Action
1	Authorities (case law, legal textbooks, legislation etc.) referred to in the statement or reply must be listed in alphabetical order.
2	Authorities must be cited. Please follow this Practice Directive .
3	Please use the statement checklists to ensure the statement or reply (paper and electronic) is filed and submitted in the correct format.
5	To remove instructions table: Right click mouse on  (top lefthand corner of this table). Select Delete Table .

Authorities
<i>Alexander v. Bertram and Ford Credit Canada Ltd. (2000), 72 B.C.L.R. 3(d) 66 (S.C.)</i>
<i>Criminal Code, R.S.C. 1985, c C-46, s 318(1)(a)</i>
<i>D.R. Fraser & Co. v. M.N.R., [1949] A.C. 24</i>