

## PRACTICE NOTE 29

### SUMMARY CONVICTION APPEALS

1. It has become evident in some recent summary conviction appeals that the appellant has not been cognizant of the section of the *Criminal Code* under which the appeal should be taken to obtain the desired remedy.
2. A summary conviction appeal may be launched under two sections, 813 and 830. All summary conviction appeals should state under which section of the *Criminal Code* the appeal is being made. It is suggested that paragraph 1 of the Notice of Appeal commence with the words, Pursuant to s. of the *Criminal Code*, the above named appellant appeals. . .
3. The book Criminal Law Evidence, Practice and Procedure by John L. Gibson, Parts 5 and 6, sets forth in clear detail the relevant sections relating to appeals under ss. 813 and 830. A brief overview of the practice and procedure and case law in this area is also contained in the book and should prove useful.

