

How do I Appeal at Downing Centre District Court?

Downing Centre District Court generally deals with more serious criminal cases than the local court. [District courts](#) are typically where more complex or severe criminal matters are heard, and where appeals against local court decisions are dealt with. If you have recently been through the court system at Downing Centre Local Court, and are unhappy with the outcome, you have the right to appeal to the district court.

Why do people appeal?

There are two main types of appeal you can make at a district court. You can appeal against the conviction itself if you were found guilty of a crime that you are not guilty of, or you can appeal against the severity of a sentence if you feel it was overly harsh.

How do I appeal at the district court?

If you want to appeal a local court decision you have 28 days to lodge an application. This can be done at the local court by visiting the Court Registry and filling out a form. There is an application fee to lodge an application for an appeal.

Once your application is lodged, you will receive notification of a listing date at the district court. You will need to attend court on that date and present any new evidence that wasn't supplied on your first court date, and that might be relevant. It is also a good idea to bring along any witnesses who weren't able to give evidence at your first hearing. If you can provide a reasonable explanation of why they didn't give evidence at the local court, you may be able to call them to provide evidence at your appeal.

Do I need a lawyer to appeal?

You don't need to have a lawyer with you when you appeal to the district court, but it is highly advisable. You only get one chance at an appeal unless compelling new evidence comes to light at a later date, so the district court judge's decision is final. Make sure you present the strongest possible case by having an experienced legal representative, and you will have a much higher chance of success than by representing yourself.

Can I get a more severe sentence?

It is possible for a judge to impose a harsher sentence on appeal. But if the judge at the district court reads your evidence and the transcripts of your previous hearing and decides that your original penalty was not severe enough, they can't give you a more severe sentence without first issuing you with a warning. If you receive this warning (known as a "[Parker warning](#)") your lawyer will immediately withdraw your application before you can be given a more serious penalty. This is another good reason to have professional representation, as an experienced lawyer will know when this is happening, and when to take action to avoid a harsher penalty.

If you have recently been through the court process and you aren't sure whether you have grounds for appeal, it's a good idea to speak to a lawyer for advice.

If you decide to appeal, make sure you bring all the evidence you have available and take some time to prepare your case. You only get one chance to appeal at [Downing Centre District Court](#), so make sure you give yourself the best possible chance of a positive outcome.