

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

<b>Step</b>	<b>Action</b>
<b>1</b>	Double click on <b>REQUIRED</b> grey text fields to enter and delete information.
<b>2</b>	Enter appellant and respondent's names below in exactly the same order and format as the <b>Notice of Appeal</b> or <b>Notice of Application for Leave to Appeal</b> unless the Court of Appeal has ordered changes to the style of proceedings.
<b>3</b>	Enter Sealing Order, Publication Ban, or Anonymity Order (if any) referencing legislative provision (or inherent jurisdiction) that authorises the order or ban and precise terms.
<b>4</b>	To remove instructions table: Right click mouse on  (top lefthand corner of this table). Select <b>Delete Table</b> .

COURT OF APPEAL FILE NO. [Enter CA file number: example CA12345]  
Enter Name of First Appellant vs. Name of First Respondent  
Respondent's Reply to 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 party(ies) 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.**

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**RESPONDENT'S REPLY TO  
APPELLANT'S STATEMENT ON SENTENCE**  
[Enter Name of Filing Respondent]

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[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

## GROUNDS FOR APPEAL - RESPONDENT'S POSITION

GROUNDS FOR APPEAL INSTRUCTIONS (please remove table when completed):	
Step	Action
1	Enter the respondent's position with respect to the ground(s) of appeal and fitness of the sentence. 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	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 <b>Delete Table</b> .

1. **Example:** The trial judge erred in imposing a sentence of 10 years, as it falls outside the range of sentences for similar offences.
2. **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.<sup>1</sup>
- 3.

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<sup>1</sup> *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 if the respondent's position is that the range and type of sentence imposed is unfit or illegal; then the range and type of sentence which the respondent submits is appropriate for the offence(s) and this offender.
2	<b>Enactments</b> (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 <b>Delete Table</b> .

4. **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

5.

6.

7. 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].

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

Respondent

## 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 <a href="#">Practice Directive</a> .
3	Please use the <a href="#">statement checklists</a> to ensure the statement or reply (paper and electronic) is filed and submitted in the correct format.
4	To remove instructions table: Right click mouse on  (top lefthand corner of this table). Select <b>Delete Table</b> .

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