

## COURT OF APPEAL

### Practice Direction (No. 1 of 2010)

#### Judgments: Form and Citation

This practice direction is made with the concurrence of the President and the Judges of the Court of Appeal. It represents a first step in the process of modernising the arrangements for the preparation and citation of judgments given by the Court of Appeal.

#### *Form of judgments*

1.1 With effect from 1 February 2010, all judgments of the Court of Appeal will be prepared for delivery and issued with double line – spacing and paragraph numbering (in the margins) but no page numbers. In cases of more than one judgment, the paragraph numbering will continue sequentially through each judgment, and will not start again at the beginning of the second judgment. Indented paragraphs will not be given a number.

1.2 These changes are intended to facilitate the publication of judgments on the website of the Court of Appeal and the World Wide Web and their subsequent use by persons who have access to the Web. The changes should also assist those who use and wish to search judgments stored on electronic databases.

#### *Neutral citation of judgments*

2.1 With effect from 1 February 2010, a form of neutral citation will be introduced in the Court of Appeal. A unique number will be given by the Registrar of the Court of Appeal to each judgment issued out of the court. The judgments will be numbered in the following way:

Court of Appeal (Civil): [2010] JMCA Civ 1, 2, 3, etc

Court of Appeal (Criminal): [2010] JMCA Crim 1, 2, 3, etc

Court of Appeal (Miscellaneous appeals): [2010] JMCA Misc 1, 2, 3, etc

Court of Appeal (Applications): [2010] JMCA App 1, 2, 3, etc

2.2 The number “1” which appears at the end of the citation will signify that this is the first judgment in the particular category for the year 2010, “2” will signify the second, “3” will signify the third, etc. The full neutral citation number will appear in the top right hand corner of the first page of each judgment.

2.3 Under these new arrangements, paragraph 18 in **Green v Brown**, the first numbered civil judgment of the court of the year 2010, would be cited: **Green v Brown** [2010] JMCA Civ 1 at [18], the number in square

brackets being the paragraph number.

2.4 The neutral citation will be the official number attributed to the judgment by the court and must always be used on at least one occasion when the judgment is cited in a later judgment. Once the judgment is reported, the neutral citation will appear in front of the familiar citation from the particular law report series. Thus: **Green v Brown** [2010]JMCA Civ 1, (2010) 40 JLR 264, (2010) 80 WIR 177, etc.

2.5 If a judgment is cited on more than one occasion in skeleton arguments, the name of the judgment may be abbreviated, but it will be of the greatest assistance if only one abbreviation (if desired) is used. Thus **Green v Brown** [2010] JMCA Civ 1 could be abbreviated on subsequent occasions to **Green v Brown** or **Green's** case, but preferably not both.

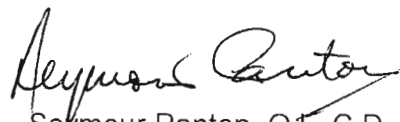
2.6 If it is desired to cite more than one paragraph of a judgment, each numbered paragraph should be enclosed with a square bracket. Thus: **Green v Brown** [2010] Civ 1 at [30]-[35], or **Green v Brown** [2010] Civ 1 at [30], [35], and [40]-[43].

#### *Citation of judgments in court*

3.1 It will be permissible to cite a judgment reported in a series of reports by means of a copy of a reproduction of the judgment in electronic form that has been authorised by the publisher of the relevant series, provided that (1) the report is presented to the court in an easily legible form and (2) counsel presenting the report is satisfied that it has not been reproduced in a garbled form from the data source. In any case of doubt the court will rely on the printed text of the report (unless the editor of the report has certified that an electronic version is more accurate because it corrects an error contained in an earlier printed text of the report).

#### *Conclusion*

4.1 These changes follow what has become accepted international practice. They are intended to make it easier to distribute, store and search judgments, and less expensive and time-consuming to reproduce them for use in court. Any comments on these new arrangements, or suggestions about ways in which they could be improved still further, should be addressed to the Registrar of the Court of Appeal, Public Building West, King Street, Kingston.



Seymour Panton, O.J., C.D.  
President of the Court of Appeal  
1 February 2010