

## APPENDIX B

### CARIBBEAN COURT OF JUSTICE

#### PRACTICE DIRECTION

#### **Citation of Judgments and Reported Cases**

This practice direction has to do with:

- I. the identification and citation of judgments delivered by the Court; and
- II. the citation of reported cases to the Court.

#### **I. Identification and Citation of Judgements of the Court**

1. Judgments delivered by the Court shall be identified and cited in the following manner:
  - (a) the names (in italics) of the parties, followed by
  - (b) the year in which the judgment was delivered in square brackets, followed by
  - (c) the letters 'CCJ', followed by
  - (d) the number assigned to the judgment indicative of the place which the judgment occupies in the sequence, according to time of delivery, of judgments delivered by the Court in both jurisdictions in that year, followed by
  - (e) the letters 'AJ' or 'OJ' in round brackets depending on whether the judgment was delivered in the Court's appellate jurisdiction '(AJ)' or in its original jurisdiction '(OJ)'.

The following is an illustration of the results of applying the above directions to an imaginary case – *Smith v Jones* [2007] CCJ 28 (AJ)

2. The Registrar shall assign the appropriate number in keeping with paragraph 1 (d) above, to all judgments delivered by the Court in 2005 and 2006 as well as subsequently, and the form of neutral citation described above shall be used for all such judgments.
3. When a judgment of the Court which has been reported, is cited, the reference to the law report shall be preceded by the neutral citation of the judgment, but that citation need not be repeated if the judgment is referred to again in the same document.
4. In future when judgments are prepared for delivery or are issued as approved judgments, the pages of the judgments will not be numbered but the judgments shall be divided into numbered paragraphs. The numbering of these paragraphs will be continuous from the beginning of the first judgment to the end of the last, if there is more than one judgment. The paragraph numbers will be printed in the margin in square brackets. Not every indented paragraph, however, need be given a number, so that more than one indented paragraph may be treated as part of the same numbered paragraph.

5. When passages from judgments of the Court are referred to, they shall be identified by the number or numbers in square brackets of the relevant paragraph or paragraphs in which they occur. Accordingly, a reference to a passage in a judgment in the imaginary case used above by way of illustration, would read:

*Smith v. Jones* [2007] CCJ 28 (AJ) at [62]

## **II. Citation of Reported Cases to the Court**

The following instructions relate to the citation of cases in proceedings before the Court and the provision of copies of cases for use by the Court:

1. Where a case is reported in the West Indian Reports, the reference to the case in that series of law reports should always be given and copies of the case in those reports should be provided to the Court.
2. Where the case is also reported in the official Law Reports produced by the Incorporated Council of Law Reporting of England and Wales ('the official Law Reports'), then the reference to the case in that series of law reports should also be given, but copies of the case in those reports need not be provided to the Court.
3. Where a case is reported both in the West Indian Reports and in some other series of law reports other than the official Law Reports, then no reference should be made to that other series of law reports and no copies of the case as reported in it need be provided to the Court.
4. Where a case is not reported in the West Indian Reports, but is reported in more than one series of law reports, then reference should be made to only one series of law reports and copies of the case in that series alone should be provided to the Court. The series of law reports to be used for reference and copying, shall be chosen in accordance with the following order of preference (in descending order):
  - (i) The official Law Reports.
  - (ii) The recognised law reports of the jurisdiction in which the case was decided.
  - (iii) The Law Reports of the Commonwealth.
  - (iv) The Weekly Law Reports.
  - (v) The All England Reports and
  - (vi) Other series of law reports.

This practice direction shall take effect from the date on which it is issued.

Issued by the President of the Caribbean Court of Justice pursuant to Part 17.1 of the Caribbean Court of Justice (Appellate Jurisdiction) Rules 2005 and Part 6.1 of the Caribbean Court of Justice (Original Jurisdiction) Rules 2006 on this 14<sup>th</sup> day of March 2007.

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