

Practice direction changes – UKSC and JCPC

UKSC PD6

Judgment

All correspondence about judgments should be sent to judgments@supremecourt.uk.

Place and time of judgment

6.8.1 Judgments are given on a day notified in advance. One week's notice is normally given. If judgment is to be handed down on a Wednesday, copies will normally be released on the previous Thursday. All corrections are to be submitted by midday on the following Monday, in line with the directions given by the Court.

Attendance of Counsel

6.8.2 One junior cCounsel or agents for each party or group of parties who have filed a case may attend when judgment is delivered in open court, but the attendance of counsel is not required. If counsel do attend, they should be familiar with the subject matter of the appeal and with the options for its disposal. Where judgment is to be promulgated by the Registrar, copies will be made available for collection by counsel or a solicitor at the Registry on a day notified in advance.

Conditions under which judgments are released in advance

6.8.3 The judgment of the Court is may be made available to certain persons- parties' legal teams before judgment is given. When, for example, judgment is given on a Wednesday morning, it is made available to counsel from 10.30 am on the previous Thursday morning In releasing the judgment, the Court gives permission for the contents to be disclosed to counsel, solicitors (including solicitors outside London who have appointed London agents) and in-house legal advisers in a client company, Government department or other body. The contents of the judgment and the result of the appeal may be disclosed to the client parties themselves 24 hours before the judgment is to be given unless the Court or the Registrar directs otherwise. A direction will be given where there is reason to suppose that disclosure to the parties would not be in the public interest.

6.8.4 It is the duty of counsel to check the judgment for typographical errors and minor inaccuracies. In the case of apparent error or ambiguity in the judgment, counsel are requested to inform the Court Judicial Support section as soon as possible. This should be done by email to judgments@supremecourt.uk Judicial Support, in line with the deadline provided. no later than two working days before the date judgment is to be given. The purpose of disclosing the judgment is not to allow counsel to re-argue the case and

attention is drawn to the opinions of Lord Hoffmann and Lord Hope in R (Edwards) v Environment Agency [2008] UKHL 22, [2008] 1WLR 1587.

6.8.5 Accredited members of the media may on occasion also be given a printed copy of the judgment in advance by the Court's communications team. The contents of this document are subject to a strict embargo, and are not for publication or, broadcast ~~or use on club tapes~~ before judgment has been delivered. The documents are issued in advance solely at the Court's discretion, and in order to inform later reporting ~~(38)~~, on the strict understanding that no approach is made to any person or organisation about their contents before judgment is given.

6.8.6 The Registrar will prepare a draft of the order, ~~which is to be made in advance of the day on which judgment is given and, when the draft has been approved by the Court, Counsel may be invited to comment on the draft~~ which will normally be sent to counsel for comment. If parties have been able to agree the order for costs, the Registry should be informed. ~~If the parties wish to make written submissions on costs to the Court, the Registrar should be informed by 4.30pm on the day before judgment is to be given.~~

JCPC PD6

Judgment

Place and time of judgment

6.7.1 Judgments are given on a day notified in advance. One week's notice is normally given.

Attendance of counsel

6.7.2 ~~One junior~~ counsel or ~~an agent~~ s for each party or group of parties who have filed a case may attend if the judgment ~~when~~ is delivered in Court, but the attendance of counsel is not required.

6.7.3 The judgment of the Board may be made available to ~~certain persons~~ the parties' legal teams before judgment is given. In releasing the judgment, the Board gives permission for the contents to be disclosed to counsel, agents and solicitors (including solicitors outside London who have appointed London agents) and in-house legal advisers in a client company, Government department or other body. The contents of the judgment and the result of the appeal may be disclosed to the client parties themselves 24 hours before the judgment is to be given unless the Board or the Registrar directs otherwise. A direction will be given where there is reason to suppose that disclosure to the parties would not be in the public interest ~~(27)~~.

6.7.4 It is the duty of counsel and agents to check the judgment for typographical errors and minor inaccuracies. In the case of apparent error or ambiguity in the judgment, counsel are requested to inform the Court Judicial Support section as soon as possible. This should be done by email to the judgments clerkJudicial Support, in line with the deadline provided. no later than two working days before the date judgment is to be given. The purpose of disclosing the judgment is not to allow counsel to re-argue the case and attention is drawn to the opinions of Lord Hoffmann and Lord Hope in R (Edwards) v Environment Agency [2008] UKHL 22, [2008] 1 WLR 1587 (28).

6.7.5 Accredited members of the media may, with the express permission of the Board, be given a copy of the judgment in advance. The contents of this document are subject to a strict embargo, and are not for publication or, broadcast ~~or use on club tapes~~ before judgment has been delivered. The documents are issued in advance on the strict understanding that no approach is made to any person or organisation about their contents before judgment is given ~~(29)~~.

6.7.6 The Registrar will prepare a draft of the order, which will normally be sent to counsel for comment. which is to be made in advance of the day on which judgment is given and, when the draft has been approved by the Board, counsel may be invited to comment on the draft. If parties have been able to agree the order for costs, the Registry should be informed. ~~If the parties wish to make written submissions on costs to the Board, the Registrar should be informed by 4.30pm on the day before judgment is to be given (30).~~