



PRACTICE DIRECTION ISSUED TO CLARIFY AND SET OUT THE CORRECT STYLES, TITLES AND MODES OF ADDRESS TO BE USED FOR THE JUDICIARY OF THE BRITISH OVERSEAS TERRITORY OF THE FALKLAND ISLANDS

Introduction

1. The aim of this practice direction is to set out and clarify the correct form of address for the members of the judiciary of the Falkland Islands.
2. The court has noted that on a number of occasions people (especially witnesses, defendants and parties) attending court have been concerned about procedural matters such as what title is to be used for the judge, possibly to the detriment of concentrating on the substantive case in which they are involved. Clearly this is an issue which needs to be addressed.
3. In addition, although lawyers appearing in court are expected to ensure that they are aware of the correct forms of address it has frequently been the case that advocates (both local and those coming from abroad) have appeared confused and have therefore been inconsistent in using the correct forms of address.
4. The recent Ministry of Justice Review emphasised the need for *“consistency and a clear understanding of what is expected of all parties in a court room is an important part of ensuring a court operates effectively. It is also important that professional address occurs in a court room, so that lawyers and the judiciary are not seen to treat anyone more favourably.”*
6. It should be emphasised that no member of the judiciary is likely to be insulted or upset by any lay person appearing before them not using the correct title as long as appropriate respect for the processes and the dignity of the court is demonstrated. The Court will provide, so far as legitimately possible, assistance as to practice and procedure to any unrepresented individuals.
7. In addition, and in response to a certain amount of confusion as to the way to address the Senior Magistrate in his various roles, this practice direction seeks to provide consistency by providing for one style and title for the Senior Magistrate which derives by virtue of office, rather than from the type of case that is being heard at any given time.
8. The practice direction is therefore there to assist the public but also legal practitioners and visiting counsel.
9. This practice direction is not intended to deal with addressing members of the judiciary in entirely social situations.

This practice direction comes into force with immediate effect.

Practice Direction

The styles, titles, and modes of address as set out in the table below are to be used in relation to members of the judiciary of the Falkland Islands.

The Chief Justice
Title The Honourable (name) QC (if appropriate) The Chief Justice
In correspondence Dear Chief Justice
In court My Lord/Lady (Your Lordship/Ladyship)
The Senior Magistrate
Title His/Her Honour (name) QC (if appropriate) The Senior Magistrate
In correspondence Dear Senior Magistrate
In court Your Honour
As Acting Supreme Court Judge
Title Acting Supreme Court Judge (name) QC (if appropriate)
In correspondence Dear Acting Judge
In court My Lord/Lady (Your Lordship/Ladyship)
As HM Coroner
Title HM Coroner, Falkland Islands
In correspondence Dear Coroner or Dear Sir/Madam
In court Sir/Madam

NB. When not in court it is customary for members of the legal profession to address the Chief Justice and the Senior Magistrate as "Judge". Other persons may also be invited to do so.

Justices of the Peace
Title Mr/Mrs/Ms/Miss (name) JP
In correspondence Dear (name)
In court Sir/ Madam or Your worship