



**THE SUPREME COURT OF BERMUDA  
PRACTICE DIRECTION**

**ISSUED BY THE CHIEF JUSTICE**

**Ref. A/50**

**CIRCULAR NO. 7 of 2006**

**TO ALL ATTORNEYS**

**PUBLICATION OF JUDGMENTS & RULINGS GIVEN IN CHAMBERS**

This practice direction concerns the publication of the texts of judgments and rulings of the Supreme Court which are given in Chambers.

1. Judgments and Rulings should clearly identify whether they are given in open Court or in Chambers.
2. Subject to the following provisions of this practice direction, copies of Judgments and Rulings given in Chambers may go in the books of considered Judgments maintained in the Supreme Court, and accurate texts of such Judgments and rulings may be published, notwithstanding that the matter was held in Chambers.
3. The court may, in particular cases, prohibit the publication of such a report, or order it to be edited, when it considers it necessary and expedient to do so in the interests of:
  - (i) justice;
  - (ii) public morality, the welfare of persons under the age of 18 years, or the protection of the private lives of the persons concerned;
  - (iii) commercial confidentiality; or
  - (iv) defence, public safety or public order.
4. Save in the circumstances referred to in paragraph 5, an order under paragraph 3 will normally require a specific application in that regard by the party concerned. For the limited power of the Court to make such orders, see Hodgson v Imperial Tobacco [1998] 1 WLR 1056 CA, per Lord Woolf.
5. Without prejudice to the generality of paragraph 3, and subject to the directions of the Judge in any particular case –
  - (a) the published version of any judgment or ruling concerning the wardship or adoption of a person under eighteen years of age, or the guardianship, custody, maintenance or upbringing of such a person, or the rights of access to such a person, shall be edited:
    - (i) by substituting letters for the identities of all persons involved; and
    - (ii) by removing any information which might tend to identify the young person concerned.
  - (b) the published version of any judgment or ruling in proceedings concerning the custody or affairs of any person suffering from a mental disorder within the meaning of the Mental Health Act 1968, shall be edited:
    - (i) by substituting letters for the identities of all persons involved; and

- (ii) by removing any information which might tend to identify the person suffering from the mental disorder.

6. This practice direction does not apply to copies of any judgment or ruling maintained on the files of the Supreme Court, nor to the inspection or copying of those files under the authority of any law or any practice or procedure of the Registry of the Supreme Court.

Dated this 15<sup>th</sup> day of May 2006

Richard W. Ground OBE QC  
Chief Justice