



The Court of Appeal for Bermuda

PRACTICE DIRECTION

ISSUED BY THE PRESIDENT OF THE COURT
AND THE ACTING REGISTRAR

A/50

22 April 2026

CIRCULAR NO. 8 OF 2026

TO ALL ATTORNEYS:

PRACTICE DIRECTION ON COURT OF APPEAL LISTING OF CRIMINAL APPEALS

Aim

1. The aim of this Practice Direction is to enhance the effectiveness and efficiency of the system for listing criminal appeals in a way which accommodates the requirements of Criminal Bar and the Court. It essentially seeks to revive the Court's longstanding approach to listing, which was apparently acceptable to both Bench and Bar.
2. This Practice Direction is issued further to Circular No.7 of 2026 setting out the amendments to Circular No. 19 of 2023 (Practice & Procedure for Cases before the Court of Appeal).

Draft Cause List

3. Not less than **4 weeks** before the start of the next Session, the Registrar will circulate a draft Cause List setting out the criminal appeals listed for hearing in the forthcoming Session and giving standard directions for the filing of submissions and authorities.
4. A Criminal Appeal will not be listed in the draft Cause List until the Record of Appeal has been prepared and Counsel for the Appellant (or the Appellant in person) confirms in writing that all records of the trial reasonably needed to ensure a fair hearing of the appeal have been prepared.

5. A Criminal Appeal entered in the draft Cause List shall be heard in the forthcoming Session and will not be adjourned on the grounds of the Record being incomplete by consent or otherwise absent compelling grounds.
6. The Draft Cause List will be finalised on or before the last working day before each Session.

Reserve List

7. The Registrar shall maintain a reserve list (the “**Reserve List**”) for appeals that: (1) do not qualify for entry in the draft Cause List when it is circulated in accordance with paragraph 3 above; and (2) where an Appellant wishes to be heard in the next Session.
8. Where an Appellant whose appeal is listed in the Reserve List is able to meet the requirements set out in paragraph 4 hereof at any time before the end of a Session, the appeal may be heard during the relevant Session if an appeal is removed from the draft or final Cause List.

Dated the 22nd day of **April 2026**



IAN RC KAWALEY
PRESIDENT OF THE COURT OF APPEAL

CRATONIA THOMPSON
ACTING REGISTRAR