PRACTICE DIRECTION – AUTHORITIES AND BUNDLES

Bundle of Authorities

The agreed bundle of authorities should comply with the requirements of the Practice Direction (Citation of Authorities (2012)) (2012) 2 All ER 255 and:

  a. have relevant passages of the authorities marked;
  b. not include authorities for propositions not in dispute;
  c. not contain more than 10 authorities unless the case genuinely warrants more extensive citation.

Where a judgment is reported in the Manx Law Reports or the Official Law Reports published by the Incorporated Council of Law Reporting for England and Wales, that report must be produced. The All England Law Reports or the Weekly Law Reports are also acceptable, as are authoritative specialist series of reports which contain an appropriate headnote.

An unreported case should not be cited unless it contains a relevant statement of legal principle not found in reported authorities.

Any extracts from text books should clearly show the edition and year of publication and should have the relevant passages marked.

Bundles

Agreed bundles for use at a hearing or trial should contain only those documents which are relevant and which it is necessary for the court to read, or which will actually be referred to during the hearing.

Bundles should normally be indexed and contained in A4 size lever arch files with each file limited to no more than 350 sheets of single-sided A4 paper. If a lever arch file is not appropriate because of the limited number of documents, metal bindings or other bindings which obscure part of the document must be avoided. Each page must be clearly numbered, with dividers clearly separating different categories of documents.

Care should be taken to ensure that emails, letters and other documents are arranged chronologically and not duplicated.

The bundle must contain an agreed chronology of the key events.

Consideration should be given to the production of a single short core bundle containing the really important documents to which reference is made in the skeleton arguments.

Bundles should be clearly labelled and numbered, both on the outside and inside of the file, with a label showing who has produced them and with the date of the hearing clearly marked.

11 August 2020

His Honour Deemster Corlett
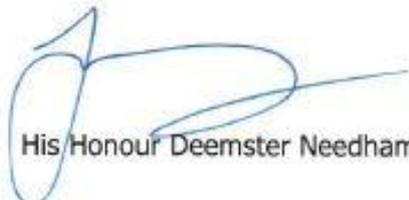
His Honour Deemster Needham