

# **“COMMON LAW JUDGMENT WRITING”**

**The Rt. Hon. Sir Rupert Jackson**  
Justice of the AIFC Court

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# JUDGMENT WRITING: A SUGGESTED STRUCTURE

LECTURE BY SIR RUPERT JACKSON TO KAZAKHSTAN JUDGES ON 19 OCTOBER 2020

Every judge has his or her own approach to this task. When I became a judge in 1999, I devised the structure set out below. I have used this template in every judgment which I have delivered during the last 23 years, adapting it as necessary for the circumstances of the particular case. Some of the judgments were ex tempore (i.e. oral, on the day of the hearing) and some were reserved (i.e. written down and sent to the parties on a later date). You can find these judgments on the Bailii website (Bailii.org). Between January 1999 and September 2008, I was Mr Justice Jackson. Between October 2008 and March 2018, I was Lord Justice Jackson. Since retiring in March 2018, I have occasionally given judgments under the name Sir Rupert Jackson.

Judgment writing is much easier if you have a clear structure. It may be that this structure would work well in a civil law country such as Kazakhstan.

## **First instance judgment**

- Part 1. Introduction
- Part 2. The facts
- Part 3. The present proceedings
- Part 4. Summary of the evidence
- Parts 5 and 6 address the individual issues
- Part 7. Conclusion

## **Judgment on an appeal**

- Part 1. Introduction
- Part 2. The facts
- Part 3. The present proceedings
- Part 4. The appeal to the Court of Appeal
- Parts 5 and 6 address the individual issues
- Part 7. Conclusion

Sometimes there are many issues to address. These will all be the subject of individual parts.

The conclusion may then be Part 10, Part 11 or perhaps Part 20!



THANK YOU

The Rt. Hon. Sir Rupert Jackson  
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