

NOTES ON THE STYLE OF THE LAW

I want that 'D'!

by

ELIJAH Z GRANET

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≈ citations ≈ neutral citations ≈ court names ≈
abbreviations ≈ law reporting ≈ ICLR ≈ High
Court divisions ≈



ABBREVIATIONS are a necessity of legal shorthand. With this shorthand, lawyers can compress the information needed to find a given report into a relatively small amount of space. This economy makes legal documents readable, removes clutter, and generally saves quite a bit of paper. However, abbreviations also require clarity and consistency. Multiple abbreviations for the same term or an abbreviation which refers to more than one term risk making law an incomprehensible bevy of jargon.¹

At present, three of the commonly used court abbreviations in neutral citations are problematic. In this Note, I declare that they be revised, and announce their revision in the House Style of this publication.² Namely, I want—nay, demand—some D.

The present default structure of neutral citations for the three primary divisions of the High Court are '[2023] EWHC 795, KB',³ with the Divisions of His Majesty's Bench, the Family, and Chancery are abbreviated to 'KB',⁴ 'Fam', and 'Ch', respectively.

The problem with this is fairly obvious. The *Law Reports*, which are the definitive and highest source for the text of cases, have for far longer than neutral citations have been in existence, used the abbreviations 'KB', 'Fam', and 'Ch' to refer to the *King's Bench Reports*, the

¹ Or, perhaps, making it even *more* an incomprehensible bevy of jargon than it already is...

² Which style rules will, one hopes, eventually be published as a guide, preferably with some silly title attempting an awful pun like 'An Uncommon House'...

³ The default structure uses parentheses to separate the court name and the case number, but this publication follows the ICLR in using a comma instead.

⁴ *Mutatis mutandis* 'QB' for reports from the reign of Her late Majesty.

Family Reports, and the *Chancery Reports*, respectively. This usage has, to borrow the terminology of taxonomy, priority. The overlap in abbreviations is, in itself, already intolerable. The situation, however, is made yet worse by the fact that it becomes necessary in citing cases from the *Weekly Law Reports*, to specify the court division.⁵ The ICLR, naturally, has the good sense not to re-use its own abbreviations for specifying the Court, and instead adds a D for ‘Division’ to each abbreviation.⁶ This is an excellent solution.

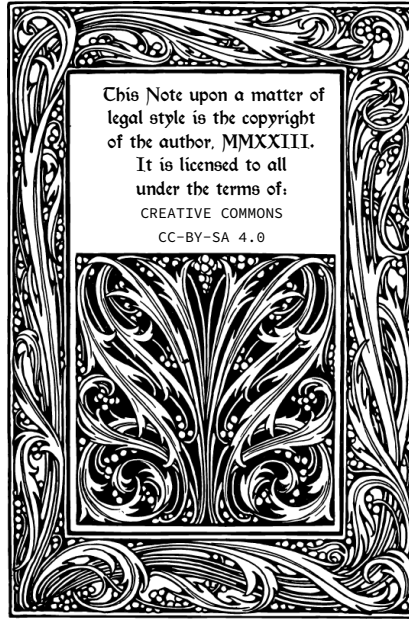
However, at present, people citing *only* the neutral citation (which, it must be noted, should only be done if there is no law report for the case) do not use the D versions of the abbreviations, and instead use the neutral citation abbreviations. This is a problem because it unnecessarily creates complexity by forcing two parallel systems of division identification on lawyers, the juggling of which is more onerous than simply delighting in the D.

The solution is obvious: *always* use the D versions. This is an easy solution which will benefit us all. Eventually, if enough momentum builds, BAILII and HM Judiciary may be convinced to switch the default versions to D. Thus, our problem is easily solved by simply saying ‘Let’s have the D’! If only all legal problems admitted such simple solutions...



⁵ This specification is not required for the three *Law Reports* mentioned earlier, because all reports in KB come from either the King’s Bench Division or the Court of Appeal. Therefore, one can simply specify ‘HC’, since the Division is already implied by the name KB.

⁶ So, ‘KBD’, ‘FamD’, ‘ChD’.



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