Copeland v Smith

[2000] 1 All ER 457, [2000] 1 WLR 1371, (1999) Times, 20 October, [1999] Lexis Citation 3333, 143 Sol Jo LB 276

Court: Court of Appeal, Civil Division

Judgment Date: 13/10/1999

Catchwords & Digest

BARRISTERS - PROFESSIONAL PRACTICE - LAW REPORTS – DUTY OF ADVOCATES TO KEEP UP TO DATE WITH RECENT REPORTED AUTHORITY

The Court of Appeal, Civil Division, held that where an advocate held himself out to be competent in a particular field of law, he should bring and keep himself up to date with recent authority in that field. Such authority was not necessarily that which could only be found in the specialist reports, but rather that which was reported in the general law reports. Thus, if a solicitors' firm or barristers' chambers took either the Weekly Law Reports or the All England Law Reports but not both, they should have systems in place enabling them to keep themselves up to date with cases which was considered worthy of reporting in the other general series. Moreover, it was not satisfactory to refer to it in court by means of a Court of Appeal transcript where a case was reported, as the purpose of cases being reported was to assist the court and advocates by means of listing the cases that was referred to and also through providing very helpful headnotes.

End of Document