

PRONUNCIATION OF NAMES AND GENDER PRONOUNS

Practice Note

1. OBJECTIVE

- 1.1 The Supreme Court, District Court, ERD Court, Magistrates Court, Youth Court and Coroners Court recognises that the correct pronunciation of names and use of the preferred gender pronoun is a matter of respect and is an important component of ensuring public confidence in the proper administration of justice. As such, the Court seeks to facilitate a simple process by which legal practitioners can provide, and the Court can seek, guidance and clarification.
- 1.2 This Practice Note takes effect from the date it is issued and, to the extent practicable, applies to proceedings whether filed before or after that date.

2. SCOPE

- 2.1 This Note applies to all divisions of the Court.

3. RESPONSIBILITY OF LEGAL PRACTITIONERS

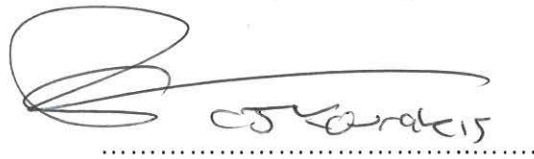
- 3.1 Where reasonably practicable prior to any hearing, legal practitioners may consider whether any names associated with their client's matter may be difficult to pronounce and provide the Court with the correct phonetic pronunciation for those names. Legal practitioners may also consider the gender pronouns of a person and their preferred title (Mr/Ms etc) and provide the Court with information as to the preferred gender pronouns and title. This includes, but is not limited to, counsel, parties, witnesses, interpreters, solicitors, and entities.
- 3.2 A practitioner may provide guidance as to the pronunciation of names by inserting the phonetic spelling of the name in square brackets directly after the name. For example: *"The Plaintiff intends to call Mr Tim Soutphommasane [Soot-pom-ma-sarn] as an expert witness in X v Y"*.
- 3.3 A practitioner may provide guidance as to the gender pronouns of a person in square brackets directly after the name by inserting the preferred pronoun. For example: *"The Defendant [they/them] ..."* or *"The Defendant uses the pronouns 'they/them'."*
- 3.4 Practitioners may provide such guidance to the Court at the time of filing by an accompanying note or at a later time to the judicial officer's associate or clerk by email or in written submissions or to an officer of the Court on the day of the hearing. Any communications should be copied to all other parties to the litigation.
- 3.6 Prior to a hearing, if the Court asks parties for appearances and other preliminary information, a practitioner may, where appropriate, provide the Court with the correct pronunciation of names and preferred gender pronouns.
- 3.7 If appropriate, when announcing appearances at the commencement of a hearing, practitioners may provide guidance as to the pronunciation of their name, their gender pronouns, and their preferred title.

4. SELF-REPRESENTED LITIGANTS

- 4.1 Prior to a hearing, the self-represented litigant may, where possible, provide the Court with the correct pronunciation of names and preferred gender pronouns. Any communications should be copied to all other parties to the litigation.
- 4.2 If appropriate, when announcing appearances at the commencement of a hearing, the self-represented litigant(s) may provide guidance as to the pronunciation of their name, their gender pronouns, and their preferred title.

5. CLARIFICATION BY THE COURT

- 5.1 Should the Court wish to clarify the correct pronunciation of any name or the preferred gender pronoun to be used before or during the proceedings, an associate or clerk or officer of the Court may contact the parties via their solicitors. A judicial officer may also seek clarification during the proceedings by asking for clarification. Practitioners should therefore use their best endeavours to know the correct pronunciation of all names and the preferred gender pronouns associated with their client's matter.



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**Chief Justice of the Supreme Court
of South Australia**

Dated: 1st November 2023