

AUSTRALIAN MILITARY COURT PRACTICE NOTE 1
MILITARY ETIQUETTE AND PROCEEDINGS OF THE
AUSTRALIAN MILITARY COURT

1. The purpose of this Practice Note is to set out the etiquette to be observed by defence members and civilians in proceedings before the Australian Military Court.
2. Unless varied by a military judge in the circumstances pertaining to a particular trial, the following practice and procedure is to apply to proceedings before the Australian Military Court (AMC).
3. While the AMC is sitting, the Chief Military Judge or a military judge (“a military judge”) is to be addressed by those appearing before the AMC as “Your Honour.”
4. When appearing before the AMC the Prosecutor is to be addressed as “Mister Prosecutor” or “Madam Prosecutor” as the case may be.
5. While sitting with the AMC, a military judge is to be attired in the service winter or summer ceremonial dress appropriate to the time and location of the hearing, or such other form of dress, as determined by that judge, together with a gown of the AMC.
6. The form of the gown of the AMC is to be determined by the Chief Military Judge.
7. Any member of a military jury (“a military juror”) is to be attired in the appropriate service winter or summer ceremonial dress, or such other form of dress, as determined by the military judge hearing the particular matter and promulgated by the Superior Authority in the trial Administrative Instruction.
8. Any member of the Australian Defence Force, either of the permanent and regular forces, or of the reserve forces, (“service member”), who is to appear before the AMC in whatever capacity, is to be attired in the appropriate service winter or summer ceremonial dress, or other form of dress, as determined by the judge hearing the matter and promulgated by the Superior Authority in the trial Administrative Instruction.
9. Any service member who is to appear before the AMC in whatever capacity, and is unable to appear in the correct form of dress, is to request leave to appear in an alternative form of dress from the relevant judge before the commencement of proceedings through the Clerk of the Court or the Registrar. If this is not possible they are to request leave from the judge hearing the matter as soon as they appear before the AMC.
10. Those who are not service members and who are appearing before the AMC are to be attired in neat and tidy civilian clothing. Those who are entitled to wear particular formal dress in connection with their profession or occupation may wear that dress when appearing before the AMC. Civilian barristers are to appear before the AMC in the wig and gown appropriate to the jurisdiction of their practice.
11. When the AMC sits and rises all present are to pay compliments to the AMC by standing. Additionally, service members present are to pay appropriate military compliments to the AMC, and the inherent authority vested in it by the Sovereign, by donning headdress and saluting. Any civilians present are to bow. The Order of Procedure for trials with a military jury may designate a member of the military jury to pay compliments on behalf of all members of the military jury. The Clerk of the Court will direct all to stand and salute the Court as appropriate.

12. The accused or convicted person is to be seated at the bar table with his or her defending officer for all proceedings of the AMC.

13. Any witness appearing before the AMC is to be allowed to be seated while they are giving evidence.

14. Any witness appearing before the AMC who is a service member is to pay appropriate compliments under the direction of the clerk of the AMC before moving to the witness stand. Any person entering or leaving the presence of the AMC while it is sitting is to pay the appropriate compliments to the AMC.



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Brigadier
Chief Military Judge
Australian Military Court

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