

IN THE SUPREME COURT OF THE REPUBLIC OF SINGAPORE

PRACTICE DIRECTION NO. 9 OF 2005

INTRODUCTION OF THE DIGITAL TRANSCRIPTION SYSTEM

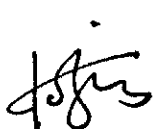
Order 38A of the Rules of Court, as amended by the Rules of Court (Amendment No. 2) Rules 2005, provides, inter alia, for the audio recording of court proceedings. With effect from 1 August 2005, the Supreme Court will be introducing the audio recording of all open court trials in actions begun by writs through the use of the Digital Transcription System (DTS).

2 This practice direction amends paragraph 81 by replacing the current provisions for mechanical recording and verbatim reporting services with provisions in line with the language of the amended Order 38A of the Rules of Court. The new provisions cater both for proceedings where DTS is used and those where DTS is not used. A new paragraph 81A has been introduced to specify the means by which transcripts may be certified. Form 21 of Appendix B has also been amended to cater for the use of DTS.

3 This practice direction will have immediate effect.

4 This practice direction should be included in *The Supreme Court Practice Directions (1997 Ed.)* immediately before the first page of the table of contents. Instructions for effecting the amendments to *The Supreme Court Practice Directions (1997 Ed.)* are contained in the Appendix hereto.

Dated this 21st day of July 2005.



KOH JUAT JONG
REGISTRAR
SUPREME COURT

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- 1) The existing pages vi to vii to be replaced with the attached pages vi to vii.
- 2) The existing page 80A to be replaced with the attached page 80A.
- 3) The existing pages 95 to 97 to be replaced with the attached pages 95 to 97.
- 4) The existing page 102B to be replaced with the attached page 102B.
- 5) The existing pages 154 to 156 to be replaced with the attached pages 154 to 156.
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79. Transfer of proceedings to the Subordinate Courts

- (1) Solicitors who act for parties in any action where the claim or value of the claim does not exceed \$100,000 should consider applying by summons-in-chambers or at the hearing of the summons for directions for an order that the action be transferred to a District Court for trial.
- (2) In cases where directions have been given, solicitors should proceed under Order 25, Rule 7 (3), of the Rules of Court 1996.

80. Witnesses

- (1) It has been brought to the attention of the Court that generally witnesses have not been told that they are free to leave the Court after they have completed their evidence.
- (2) To remedy this, every witness will be released by the Court upon completion of his evidence and it is the duty of counsel to apply to the Court if counsel desires the witness to remain.

(The next page is page 96.)

81. Production of record of hearing

- (1) Pursuant to Order 38A, rule 1, of the Rules of Court, the Registrar hereby directs that with effect from 1 August 2005, there shall be audio recording of all open court trials in actions begun by writs. Such audio recording shall be made using the Digital Transcription System (DTS) only.
 - (a) The audio recording made pursuant to sub-paragraph (1) shall, pursuant to Order 38A rule 1(1)(a), constitute the official record of hearing.
 - (b) In the event of any discrepancy between the audio recording and the transcript of the audio recording, the audio recording shall take precedence over the transcript.
 - (c) For the avoidance of doubt, any notes taken down by the court in proceedings where audio recording is made shall not form part of the record of hearing.
- (2) The Registrar further directs that in proceedings where no audio recording is made, the notes of hearing shall be taken down by the Judge or judicial officer, whether by hand or through the use of a computer and, pursuant to Order 38A rule 1(1)(b), the transcript of the notes of hearing shall constitute the official record of hearing.
- (3) The provisions of sub-paragraphs (1) and (2) are subject to any directions made by the Judge or judicial officer hearing the matter, or by the Registrar, whether or not upon application by the parties. Such directions may include the use of alternative means of producing transcripts.
- (4) Where the Court makes such directions under sub-paragraph (3),
 - (a) the transcript of the notes of hearing shall, pursuant to Order 38A rule 1(1)(b), constitute the official record of hearing; and
 - (b) the parties shall inform the Registry by letter at least 7 working days before the scheduled hearing as to the mode by which the proceedings will be recorded.

- (5) The costs of engaging a service provider shall be paid by the parties directly to the service provider.
- (6) Requests for copies of the record of hearing or transcripts of the record of hearing shall be made using Form 21 of Appendix B to these practice directions at least 7 working days before the scheduled hearing.

81A. Certification of transcripts

Pursuant to Order 38A, rule 2, the Registrar hereby directs that transcripts of any record of hearing or notes of hearing may be certified by:

- (a) the Judge or judicial officer having conduct of the proceedings;
- (b) with the approval of the court, the personal secretary to the Judge or judicial officer having conduct of the proceedings; or
- (c) with the approval of the court, the service provider.

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24. [Deleted]	

Para 81(6). **REQUEST FOR RECORD OF HEARING**

Date:

For Official Use Only

Manager
Digital Transcription Services

CAT	
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Supreme Court of Singapore
1 Supreme Court Lane
Singapore 178879
(Fax number: 63323952)

REQUEST FOR RECORD OF HEARING

Case number: _____

Names of parties: _____

Hearing dates: _____

Court No (if known): _____

Party making request or on
whose behalf request is made: _____
(Plaintiff or Defendant or as the case may be)

Name of law firm and lawyer
of the requesting party: _____

Telephone number: _____

Fascimile number _____

E-mail address: _____

File reference of law firm: _____

1. We hereby apply for a record of the court proceedings as follows:

Format	Number of sets †	Scope	Delivery timeline
Transcript in paper format		(1) the full trial <input type="checkbox"/> (2) part thereof * <input type="checkbox"/> _____ _____ _____	(1) 24-hour delivery (excluding Sat/Sun/public holidays) <input type="checkbox"/> (2) 3-day delivery <input type="checkbox"/> (3) 5-day delivery <input type="checkbox"/> (4) 14-day delivery <input type="checkbox"/>
Transcript in soft copy on CD-ROM		(1) the full trial <input type="checkbox"/> (2) part thereof * <input type="checkbox"/> _____ _____ _____	(1) 24-hour delivery (excluding Sat/Sun/public holidays) <input type="checkbox"/> (2) 3-day delivery <input type="checkbox"/> (3) 5-day delivery <input type="checkbox"/> (4) 14-day delivery <input type="checkbox"/>
Audio recording on cassette tape		(1) the full trial <input type="checkbox"/> (2) part thereof * <input type="checkbox"/>	_____ _____ _____
Audio recording on CD-ROM		(1) the full trial <input type="checkbox"/> (2) part thereof * <input type="checkbox"/>	_____ _____ _____
Audio recording on DVD		(1) the full trial <input type="checkbox"/> (2) part thereof * <input type="checkbox"/>	_____ _____ _____

(† Insert the number of sets required.)

(* Specify dates of proceedings or names of witnesses.)

2. We undertake:-

- (1) to pay directly to the service provider the requisite fees for the services and audio recordings and/or transcripts requested; and
- (2) if transcripts are requested, to supply to the service provider:
 - (a) at least 2 clear working days before the commencement of the hearing or immediately upon submission of a request by any party after the hearing has concluded, one (1) copy each of such of the following documents as have already been filed in Court:
 - (i) authorities or bundles of authorities;
 - (ii) documentary exhibits or bundles of documents;
 - (iii) written submissions; and
 - (iv) lists of the names of witnesses;
 - (b) a copy of any document, authority or submission tendered during the hearing by that party immediately after such document, authority or submission is tendered if such document, authority or submission has not previously been supplied to the service provider; and
- (3) not to reproduce or transmit in any form or by any means any material contained in the transcript or on any audio record supplied to us.

(The Plaintiff/Defendant or the solicitors for the
Plaintiff/Defendant as the case may be)

(There is no Appendix E.)