

**IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE**  
**PRACTICE DIRECTIONS**  
**AMENDMENT NO. 3 OF 2021**

It is hereby notified for general information that, with effect from 1 June 2021, the State Courts Practice Directions will be amended —

- (a) by deleting the existing Practice Direction 133 (*Checklists*) and replacing it with the following practice direction;

*New Practice Direction 133*

- (b) by inserting, immediately after Practice Direction 145, the following new Part XXIV (consisting of the new Practice Direction 146); and

*New Part XXIV*

- (c) by inserting, immediately after the new Practice Direction 146, the following new Part XXV (consisting of the new Practice Directions 147 and 148).

*New Part XXV*

2. The Protection from Harassment Court is established under the Protection from Harassment Act (Cap 256, 2015 Rev Ed) (“the Act”) with effect from 1 June 2021. The new Practice Direction 133 introduces Form 100, a checklist which the prosecution must complete and tender in soft copy on the Integrated Case Management System where a charge includes one under the Act. The new Part XXIV (consisting of the new Practice Direction 146) prescribes the appropriate Forms that are to be used for the purposes of simplified proceedings under the Supreme Court of Judicature (Protection from Harassment) Rules 2021.
3. The new Part XXV (consisting of the new Practice Directions 147 and 148) designates the electronic filing and case management system for matters before the Community Courts and Tribunals Cluster (comprising the Small Claims Tribunals, Employment Claims Tribunals, Community Disputes Resolution Tribunals, and the Protection from

Harassment Court), and the practice to be followed in relation to filing of documents generally.

Dated this 1<sup>st</sup> day of June 2021.

A handwritten signature in black ink, appearing to read "Chris Tan". The signature is written in a cursive style with a large initial "C" and a stylized "T".

CHRISTOPHER TAN  
REGISTRAR  
STATE COURTS

## 133. Checklists

- (1) For every Mention (“FM / FFM”); Pre-Trial Conference (“PTC”); Criminal Case Disclosure Conference (“CCDC”) and Plead Guilty Mention (“FM(PG)”), there will be a corresponding Mentions Checklist, PTC/CCDC checklist and PG checklist for the court event in the electronic case file.
- (2) Except for the first appearance in court by defence counsel, defence counsel is required to submit the Mentions or PTC checklist indicating the affirmative position of the accused. The submission may be made at any time prior to the commencement of the scheduled court event.
- (3) Prosecutors are required to submit the Mentions or PTC checklists indicating the prosecution’s affirmative position. The submission may be made at any time prior to the commencement of the scheduled court event.
- (4) The PG checklist need not be re-submitted if the position of the prosecution on the charge(s) has been indicated and remains the same.
- (5) For CCDCs, the checklist is only required to be submitted before the scheduled court event by the party applying for an adjournment.
- (6) Where the case involves a charge under the Protection from Harassment Act, the prosecution must file the checklist in Form 100 of these Practice Directions on ICMS when all the charges are ready and before the accused is called upon to indicate his plea.

## **PART XXIV: SIMPLIFIED PROCEEDINGS UNDER THE PROTECTION FROM HARASSMENT ACT**

### **146. Forms for simplified proceedings before the Protection from Harassment Court**

- (1) The Protection from Harassment Court, established under the Protection from Harassment Act (Cap 256A) (the “Act”), will begin to hear cases under the Act from 1 June 2021.
- (2) The forms set out on the Internet website of the Community Justice and Tribunals System are the appropriate Forms (as defined in rule 2 of the Supreme Court of Judicature (Protection from Harassment) Rules 2021) to be used for the purposes of simplified proceedings under those Rules.

# **PART XXV: ELECTRONIC FILING AND CASE MANAGEMENT SYSTEM FOR MATTERS BEFORE THE COMMUNITY COURTS AND TRIBUNALS CLUSTER**

## **147. Community Justice and Tribunals System**

### **Establishment of Electronic Filing and Case Management System**

- (1) For the purposes of the following rules:
  - (a) Rule 8A of the Small Claims Tribunals Rules;
  - (b) Rule 3A of the Employment Claims Rules 2017;
  - (c) Rule 4A of the Community Disputes Resolution Tribunals Rules 2015; and
  - (d) Rule 7 of the Supreme Court of Judicature (Protection from Harassment) Rules 2021,

the electronic filing and case management system established is the Community Justice and Tribunals System (“CJTS”) and is accessible at [www.statecourts.gov.sg/CJTS/](http://www.statecourts.gov.sg/CJTS/).

- (2) In relation to paragraph (1), for the purpose of the following:
  - (a) Proceedings before the Small Claims Tribunals;
  - (b) Applications to the District Court under section 42 of the Small Claims Tribunals Act and rule 28A of the Small Claims Tribunals Rules;
  - (c) Proceedings before the Employment Claims Tribunals;
  - (d) Proceedings before the Community Disputes Resolution Tribunals;
  - (e) Simplified proceedings before the Protection from Harassment Court; and
  - (f) Proceedings before the District Court under the Small Claims Tribunals Act and sections 7, 23 and 24 of the Employment Claims Act,

the applicable electronic filing and case management system shall be CJTS.

- (3) Despite paragraphs (1)–(2), for the purpose of the following:

- (a) Appeals to the General Division of the High Court from:
  - (i) the Small Claims Tribunals, under Part VIII of the Small Claims Tribunals Rules;
  - (ii) the Employment Claims Tribunals, under rules 26–32 of the Employment Claims Rules 2017;
  - (iii) the Community Disputes Resolution Tribunals, under rule 17 of the Community Disputes Resolution Tribunals Rules; and
  - (iv) simplified proceedings before the Protection from Harassment Court, under rules 41–47 of the Supreme Court of Judicature (Protection from Harassment) Rules 2021;
  
- (b) Applications for a stay of execution:
  - (i) to the General Division of the High Court (but not the District Court or Small Claims Tribunals), under section 42 of the Small Claims Tribunals Act and rule 28A of the Small Claims Tribunals Rules;
  - (ii) to the General Division of the High Court (but not the District Court), under section 24 of the Employment Claims Act and rule 33 of the Employment Claims Rules;
  - (iii) to the General Division of the High Court (but not the Community Disputes Resolution Tribunals), under section 27 of the Community Disputes Resolution Act; and
  - (iv) to the General Division of the High Court (but not the Protection from Harassment Court), under rule 48 of the Supreme Court of Judicature (Protection from Harassment) Rules 2021,

the applicable form in these Practice Directions shall be filed in hard copy at the Registry of the Supreme Court, unless otherwise directed by the Court or Registry.

- (4) Despite paragraphs (1)–(3), the Notice of Appeal for appeals to the General Division of the High Court from matters mentioned in paragraph (3)(a) shall be filed in hard copy at the Registry of the State Courts, unless otherwise directed by the Court or Registry.
  
- (5) Despite paragraphs (1)–(2), for the purpose of:
  - (a) Applications to transfer proceedings under:

- (i) section 17 of the Employment Claims Act;
  - (ii) section 20 of the Community Disputes Resolution Act; and
  - (iii) rules 79(1)(a), (b) and (c) of the Supreme Court of Judicature (Protection from Harassment) Rules 2021; and
- (b) Standard proceedings (as defined in the Supreme Court of Judicature (Protection from Harassment) Rules 2021) before the Protection from Harassment Court; and
- (c) Any searches relating to the proceedings in paragraphs (4)–(5)(b),

the applicable electronic filing and case management system shall be eLitigation, in which case Part XIII of these Practice Directions will apply.

- (6) The Practice Directions contained in this Part shall apply to the submission and service of documents, and communications between the Registrar and party, through CJTS or for the purpose of matters mentioned in paragraph (2).

**Pagination of documents**

- (7) Practice Direction 86 (Pagination of documents) shall apply to this Part.

**Applications and other correspondence**

- (8) Practice Direction 95(1)–(2) (Requests and other correspondence) shall apply to this Part, save that references to the Electronic Filing Service are to be read as references to CJTS.
- (9) Where no specific form is provided in these Practice Directions or in CJTS for an application, the application may be filed using the “General Application” Form in CJTS.

## 148. Documents which must be filed in hard copy

### Documents which cannot be converted into an electronic format

- (1) Practice Direction 87 (Documents which cannot be converted into an electronic format) shall apply to this Part, save that references to the Court are to be read as including references to any tribunal in the Courts and Tribunals Cluster (“CCTC”).
- (2) Any hard copy of a document must be filed at the Central Registry of the State Courts at least 5 days before the deadline for its submission, unless otherwise specified.

### Hard copies of documents filed electronically

- (3) Practice Direction 93 (Hard copies of documents filed electronically) shall apply to this Part, save that references to the Electronic Filing Service are to be read as references to CJTS.

### Audio or video recordings

- (4) Where the evidence is in the form of audio or video recordings (such as recordings of phone conversations or CCTV recordings), the recordings may not be filed electronically but should instead be tendered to the court by way of a CD-R or DVD-R. When preparing recordings:

- (a) The recordings must be saved in a CD-R or DVD-R, and a hard-copy label affixed to it stating:

[Party's name]-[CD-R or DVD-R number]

Eg: [Tan Ah Teck Joseph]-[CD1]

- (b) The recordings must be in a file format supported by Microsoft Windows 10 and, in the case of video recordings, must use a codec supported by Microsoft Windows 10. For the purpose of proceedings, the following file types are permitted:

<b>Audio recordings</b>	.mp3, .wma, .wav
<b>Video recordings</b>	.flv, .mp4, .mpg, .wmv

- (c) Each recording must be saved under a file name in the following format:

[Date of recording in YYYY-MM-DD format]-[Actual time that recording started in HH-MM-SS (24h) format]-[Short description of what the recording is meant to show]



Eg: [2020-05-18]-[23-11-00]-[Scolding vulgarities]

- (d) A transcript of the important part(s) of the audio or video recording must be prepared to state the relevant fact (*ie*, the action that is seen, the exact words that are used, the type(s) of sound(s) that are heard). Where the words that are used in the audio or video recording are not in English, a certified translation of the words into English must be provided.
- (e) Screenshots of the important frame(s) in the video recording to support what is stated in the transcript must be provided.
- (f) The above information is to be provided in the following format and filed as a supporting document in PDF format in CJTS:

DVD-R Label	File name of recording	Time within recording	Actual Time	Transcript
		[HH:MM:SS] to [HH:MM:SS]		
[Tan Ah Teck Joseph]- [DVD1]	[05 June 2016]-[23-11-00]- [Spitting].mp4	[01:05:22] to [01:05:25]	[23:11:23] to [23:11:30]	Respondent spits along the common corridor
[Tan Ah Teck Joseph]- [DVD2]	[10 June 2016]-[09-07-00]-[Scolding vulgarities].mp4	[00:35:21] to [00:40:23]	[09:10:22] to [09:12:50]	Respondent stands outside Plaintiff's flat and scolds Plaintiff vulgarities (“ <i>[insert exact words]</i> ”)

- (5) If the CD-R or DVD-R does not comply with the above directions, it may be rejected by the tribunal (or court).
- (6) Unless the court otherwise directs, a party who files a hard copy document or a CD-R/DVD-R in court must serve, on every other party to the proceedings, a copy of the document or an identical copy of the CD-R/DVD-R (as the case may be).

**Form 100**

**State Courts of the Republic of Singapore**

**Checklist For Referral of Cases to Protection From Harassment Court**

Case No : \_\_\_\_\_  
Name of Investigating Officer : \_\_\_\_\_  
Name of Prosecutor : \_\_\_\_\_

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*Instructions:*

1. *This checklist should be completed by the Prosecution (either the IO or Prosecuting Officer) where:*
    - (i) *The case involves a charge under the Protection from Harassment Act (POHA); or*
    - (ii) *The victim has filed a civil application pursuant to Part 3 of the POHA in respect of the offence allegedly committed against him/her by the accused (“Part 3 POHA application”) e.g. an application for a Protection Order.*
  2. *The checklist should be filed in ICMS once the Prosecution is ready with all the charges.*
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**Which category does this case fall under?**

- Category 1: POHA charge(s) only
  
- Category 2: Non-POHA charges & corresponding Part 3 POHA application
  - Part 3 POHA application has been filed and the case no is \_\_\_\_\_
  - The criminal charge(s) & Part 3 POHA application arise out of the same facts/same incident.
  
- Category 3: POHA & Non-POHA charge(s) & corresponding Part 3 application
  - Part 3 POHA application has been filed and the case no is \_\_\_\_\_
  - The criminal charge(s) & Part 3 POHA application arise out of the same facts/same incident.
  - ALL the non-POHA charge(s) fall within the list below

<b>Types of non-POHA charges which may be heard by the PHC</b>	
<b>Offences under the Penal Code (Cap 224)</b>	
Section 323	Voluntarily Causing Hurt
Section 336	Punishment for act which endangers life or personal safety of others
Section 337	Causing hurt by an act which endangers life or the personal safety of others
Section 341	Wrongful restraint
Section 342 to 344	Wrongful confinement
Section 352	Using criminal force otherwise than on grave and sudden provocation
Section 357	Assault or criminal force in attempting wrongfully to confine a person
Section 447	Punishment for Criminal Trespass
Section 448	Punishment for house-trespass
Section 506	Criminal Intimidation (non-aggravated)
<b>Any offence under the Miscellaneous Offences (Public Order and Nuisance) Act (Cap 184)</b>	
<b>Any offence under the Liquor Control (Supply and Consumption) Act 2015 [Act 5 of 2015]</b>	

- Category 4: None of the above

*(E.g. there is no Part 3 POHA application / the non-POHA charges do not fall within list in category 3 / The Part 3 POHA application arises from facts which are separate from the criminal proceedings etc.)*