

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

REGISTRAR'S CIRCULAR NO. 8 OF 2020

UPDATES ON MEASURES RELATING TO COVID-19 (CORONAVIRUS DISEASE 2019) FROM 7
APRIL 2020 TO 4 MAY 2020

The Ministry of Health has issued a press release on 3 April 2020 – “Circuit Breaker to Minimise Further Spread of COVID-19 Cases” – on the enhancement of safe distancing measures to reduce the risk of further local transmission of COVID-19. In view of this, the Honourable the Chief Justice has directed that all matters¹ scheduled for hearing in the State Courts during the Relevant Period (as defined below) be adjourned to a date to be fixed, unless the matter is essential and urgent. The Relevant Period commences on:

- (a) 7 April 2020 for non-criminal matters; and
- (b) 13 April 2020 for criminal matters;

and ends on 4 May 2020 (commencement and end dates inclusive). The Court may extend the Relevant Period if it deems it necessary to do so.

2. The matters which may be considered to be essential and urgent are set out in the **Schedule**. The hearings which fall within the Schedule and have been scheduled to be heard within the Relevant Period will proceed as scheduled, unless otherwise directed by the Court. The parties whose cases ***will continue to be heard within the Relevant Period*** will be sent reminders as follows:

- (a) Criminal hearings
 - (i) For hearings scheduled from 13 April 2020 to 17 April 2020 (inclusive), parties will be sent a reminder by 8 April 2020, 5pm that the hearing will proceed.
 - (ii) For hearings scheduled from 20 April 2020 to the last day of the Relevant Period (inclusive), parties will be sent a reminder as soon as possible, and in any event no later than five working days from the scheduled hearing date, that the hearing will proceed.

¹ Including appeals, trials, applications (interlocutory or otherwise), case management conferences and pre-trial conferences.

(b) Non-criminal hearings

- (i) For hearings scheduled from 8 April 2020 to 14 April 2020 (inclusive), parties will be sent a reminder by 6 April 2020, 5pm that the hearing will proceed.
- (ii) For hearings scheduled from 15 April 2020 to the last day of the Relevant Period (inclusive), parties will be sent a reminder as soon as possible, and in any event no later than five working days from the scheduled hearing date, that the hearing will proceed.

For non-criminal hearings scheduled for hearing on 7 April 2020, all parties will be informed by 6 April 2020, 9am, whether their cases would be proceeding.

3 As far as possible, hearings which proceed within the Relevant Period will be conducted using electronic means of communication, thereby dispensing with the need for physical attendance before the Court. Parties are to comply with all safe distancing and other applicable measures in the preparation, presentation and conduct of hearings during the Relevant Period.

4 Where a matter does not fall within the Schedule but parties consider the matter to be essential and urgent, they may write to the Court (by way of letter or email or through the relevant electronic case management system) for the matter to be heard within the Relevant Period. Such a request shall be made as soon as possible. The Court may, in its discretion, hear the matter if it is assessed by the Court to be essential and urgent. Parties should note the following:

- (a) in determining whether a matter is essential and urgent, the Court will have regard to, among other factors, whether the determination of its outcome is time sensitive or if there are any legal requirements which require the matter to be heard within a specified timeframe;
- (b) a hearing is not essential or urgent merely because it is convenient for the parties to have the matter heard early; and
- (c) parties should not make the request unless they are able to ensure, as well as satisfy the Court that measures are in place to secure, compliance with paragraph 3 above.

5 For the avoidance of doubt, the Court may continue to deliver judgments during the Relevant Period.

6 All requests to attend before the Duty Judicial Officer or the Duty Registrar in relation to matters falling within the Schedule will continue to be dealt with during the Relevant Period in accordance with

the State Courts Practice Directions and Registrar's Circular No. 5 of 2020.² Parties may also email the State Courts Registry at contact@statecourts.gov.sg on any urgent queries, with the email subject stating the relevant details such as, "[Urgent Hearing][Case Number][Case Name]", as may be applicable.

7 With effect from 7 April 2020 until further notice, where a hearing is conducted by means of video conferencing or telephone conferencing using a remote communication technology approved by the Chief Justice or authorised by the Court, all recordings made of the hearing which have been authorised by the Court using such remote communication technology will constitute the official record of hearing for the purposes of O 38A r 1 of the Rules of Court (Cap 322, R 5, 2014 Rev Ed).

8 The State Courts Registry and other court services will continue to remain operational during the Relevant Period to attend to matters which are essential and urgent. For matters which are not essential and urgent:

- (a) requests for service by the Court process server, inspection of the case file in person, taking of hard copies or any enforcement action will not be processed; and
- (b) parties and their representatives should not visit the Court to tender any hard copies of documents or any media storage devices, including CD-ROMs.

9 Any requirement (whether under the applicable legislation or State Courts Practice Directions or pursuant to the Court's directions) to tender hard copies of any documents to the Court shall, if the documents are tendered during the Relevant Period, be complied with by electronically filing or submitting the soft copies within the applicable timelines. The Court may issue directions for hard copies of the aforesaid documents to be tendered after the Relevant Period. For avoidance of doubt, parties may continue to file documents electronically through the Integrated Criminal case filing and Management System ("ICMS"), Community Justice and Tribunals System ("CJTS") and the eLitigation system and mail (by AR registered post) their CD-ROMs (as may be applicable) during the Relevant Period.

10 In relation to timelines required to be complied with under the applicable legislation or the State Courts Practice Directions, or pursuant to the Court's directions, the following shall apply:

- (a) for matters scheduled for hearing during the Relevant Period, parties may write in to the Court (by way of letter or email or through the relevant electronic case management system) to apply for an extension of time; and

² Accessible at <https://www.statecourts.gov.sg/cws/covid-19/Pages/COVID-19.aspx>.

(b) for all other matters, the applicable timelines will continue to apply but parties may write in to the Court (by way of letter or email or through the relevant electronic case management system) to request for an extension of time if necessary.

11 All expedited protection orders granted under the Protection from Harassment Act (Cap 256, 2015 Rev Ed) which expire within the Relevant Period will be extended for a further 4 weeks without the need for an application. A Respondent who objects to such an extension may write to the Court at statecourts_cjtd@statecourts.gov.sg to request an urgent pre-trial conference to be fixed for the Court to hear the objection.

12 All matters which are scheduled for hearing after the Relevant Period will remain as scheduled, unless otherwise directed by the Court. We will continue to monitor the situation. All court users and visitors are advised to refer to the State Courts website at <https://www.statecourts.gov.sg/cws/covid-19/Pages/COVID-19.aspx> for the latest information and updates.

Dated this 5th day of April 2020.



JENNIFER MARIE
REGISTRAR
STATE COURTS

SCHEDULE

1. This Schedule sets out matters that may be considered to be essential and urgent. It also sets out relevant procedural or administrative matters, if any, pertaining to such matters. Unless otherwise stated, Registrar's Circular No. 5 of 2020 will continue to govern the mode of conducting any hearing during the Relevant Period.
2. Notwithstanding what is provided for below, the Court retains full discretion to decide, in respect of any particular hearing in a matter that may be considered to be essential and urgent:
 - (a) whether to proceed with that hearing; and
 - (b) the mode of conducting that hearing.

A. Essential and urgent matters before the Criminal Justice Division

S/n	Type of matter	Remarks
1	Production of an arrested person in court within 48 hours pursuant to section 68(1) of the Criminal Procedure Code (Cap 68, 2012 Rev Ed) ("CPC").	Arrested persons shall be produced in court by video-link. Defence counsel, if any, are to write in to StateCourts_Crime_Registry@statecourts.gov.sg prior to the hearing to request for counsel's particulars to be registered in the Integrated Case Management System ("ICMS"). Any applications by parties are to be submitted online via ICMS.
2	Applications for the remand of an accused for the purpose of investigations under s 238(3) of the CPC.	Accused persons shall be produced in court via video-link. Defence counsel, if any, are to write in to StateCourts_Crime_Registry@statecourts.gov.sg prior to the hearing to request for counsel's particulars to be registered in ICMS. Any applications by parties are to be submitted online via ICMS.
3	Viewing of bodies by the Coroner under s 12(1) of the Coroners Act (Cap 63, 2012 Rev Ed).	Video-link shall be used as the default mode.

S/n	Type of matter	Remarks
4	Hearings before a Magistrate for assessment of suitability of bailors and application for further detention orders under the Immigration Act.	Video-link shall be used as the default mode.
5	Pre-trial conferences: (a) concerning remanded accused persons; and (b) which need to be expedited in the interests of justice (to be determined by the court on a case-by-case basis with input from parties).	Video-link shall be used as the default mode.
6	Trials: (a) concerning remanded accused persons; and (b) which need to be expedited in the interests of justice (to be determined by the Court on a case-by-case basis with input from parties).	Witnesses, accused persons, prosecution and defence counsel shall attend physically in court unless otherwise informed by the Court.
7	Plead guilty mentions: (a) concerning remanded accused persons; and (b) which need to be expedited in the interests of justice (to be determined by the Court on a case-by-case basis with input from parties).	The default mode of attendance for the prosecution, defence counsel and remanded accused persons shall be by video-link. Accused persons on bail are to attend physically in court.

B. Essential and urgent matters before the Civil Justice Division

S/n	Type of matter
1	An application for urgent injunction or search order.
2	An urgent application to set aside an injunction or search order.
3	Certain applications for interim payments where payment is urgently needed.
4	An urgent application for stay of execution of a civil judgment.
5	A Registrar's Appeal involving a matter falling within the list of urgent civil matters above.

C. Essential and urgent matters before the Community Justice and Tribunals Division

S/n	Type of matter
1	An application under the Protection from Harassment Act (Cap 256, 2015 Rev Ed) for any of the following: (a) Expedited Protection Order involving violence or doxxing; (b) Interim Stop Publication Order; (c) Interim Notification Order; (d) Interim Disabling Order; and (e) Targeted Interim Notification Order.