

GRAND COURT PRACTICE DIRECTION NO. 5/95 (GCR O.1, r.12)

Trial Bundles

(GCR 0.34, r.10)

1. Order 34, rule 10 is intended to ensure that:
 - (a) The trial judge is able to read the core documents prior to the commencement of the trial; and
 - (b) The Court has available all necessary documents, properly organised into bundles, at the commencement of every trial.

The rule requires the plaintiff to deliver bundles of documents to the Clerk of the Court for these purposes.

2. Order 34, rule 10 does not specify how, when or by whom the bundles of documents shall be prepared. This is a matter left to the parties to determine by agreement having regard to the circumstances of each individual case.
3. In cases involving a small number of documents (such as personal injury claims) it will normally be appropriate for all the documents to be included in the core bundles; for those bundles to be created by the plaintiff; and for them to be delivered to the defendant at the same time as they are delivered to the Clerk of the Court in accordance with rule 10(1).
4. In cases involving large numbers of documents, it would normally be appropriate for the parties' attorneys to make arrangements for those documents to be indexed, paginated and put into bundles long before the plaintiff is required to deliver them to the Clerk of the Court.
5. It is the duty of the parties and their attorneys to make all such arrangements for the preparation and exchange of bundles of documents as may be appropriate, having regard to the circumstances of the case. The objective is to ensure that both parties have available to them bundles of all the documents (indexed, paginated and organised in the way in which they will be used at the trial) at such time as may be necessary to enable them to properly prepare their respective cases in time for the commencement of the trial.

DATED this 15th day of December, 1995

Hon. George Harre, Chief Justice