

THE LAW SOCIETY OF SINGAPORE

GUIDANCE NOTE 1.1.1

[Formerly GN 2013, para 5; Council's Guidance Note 1 of 2009]

CLIENTS' PRESENCE IN CHAMBER HEARINGS

1. Council has had discussions with both the Supreme Court and the State Courts about relaxing the practice of not permitting parties other than legal practitioners to appear for chambers hearings. Council representatives pointed out that many chambers hearings were not interlocutory but final either in form or substance.

2. The result of these discussions is that the courts have clarified that:

- (a) The present default position is that chamber hearings are closed hearings (see Singapore Civil Procedure 2018 (Sweet & Maxwell, 2018) at paragraph 32/1/2).
- (b) The presence of clients in chambers is a matter of discretion for the hearing Judge or Registrar.
- (c) If a client (whether lay or professional) wishes to be present for a chambers hearing, the legal practitioner concerned should give advance notice to the other party before applying to the Judge or Registrar, for permission for the client to be present. The decision whether or not the client will be permitted will be determined by the hearing Judge or Registrar on a case-by-case basis.

3. The advance notice would be helpful to avoid the situation where only one party is allowed to be present while the other party is not due to the lack of notice. This is particularly an issue in matrimonial proceedings, where it is easily perceived by an emotional party that the other party's one-sided presence at the hearing was "unfair" to him/her.

4. Members of the Bar should consider such an application in cases where their clients may have a vital interest in the outcome of a particular hearing in chambers, for instance, in matrimonial proceedings where ancillary matters are usually the real substance of the dispute.

Date: 31 January 2019

THE COUNCIL OF THE LAW SOCIETY OF SINGAPORE