

The Court appreciates that solicitors may in the present circumstances not have access to their usual facilities for preparing bundles for the appeal. It would not wish staff who would otherwise be working from home to come in to work only in order to prepare bundles. This is likely particularly to affect the preparation of paper bundles. Accordingly, while the Court still requires the supply of paper bundles where that is possible, if that is not the case it will usually (though not in every case) be prepared to use electronic bundles. Where electronic bundles are to be used, it is important that these be prepared in such a way as to be most easily usable by the Court.

Accordingly we are in all appeals listed for the Easter term seeking to establish as soon as possible how the parties propose to supply the bundles in an effective manner. Please may I have by # your answer to the following questions:

- (1) Will the parties be able to prepare paper versions (a) of the core and any supplementary bundles (“the appeal bundles”) and (b) of the authorities bundle, which can then be posted or couriered to the members of the Court at least seven days in advance of the hearing? If this is possible it is the best option.
- (2) Will the parties be able to prepare electronic versions (a) of the appeal bundles and (b) of the authorities bundle so as to be available to the Court, complying with the requirements scheduled below, at least seven days in advance of the hearing? If they cannot comply with the requirements in full, they should explain the nature of the difficulty and state what alternative they propose. (Please answer this question even if paper bundles can be supplied, because in some cases the Court may wish to have both paper and electronic bundles, particularly if the parties would be preparing electronic bundles in any event.)
- (3) The requirements in the schedule are based on the use by the Court of Acrobat Reader. If the parties are able to make available to the Court a more sophisticated document management system please say so and identify the system in question.
- (4) How many pages will the appeal bundles comprise, and how many authorities will be in the authorities bundle?

As to point (4), the practicability of using electronic bundles, particularly in the absence of a sophisticated document management system, may depend on their size. It is particularly important in present circumstances that the bundles contain only material which the Court will be expected to pre-read or to which reference is expected to be made in the course of the hearing.

The answer must be sent in agreed terms on behalf of all parties, though it may identify any matters on which the parties are not in agreement. The parties are reminded of their duty of co-operation under the over-riding objective. In particular, if the respondent is better equipped than the appellant to undertake the preparation and filing of the bundles it should do so.

The answer should identify an individual (whether counsel or solicitor) with whom the Court should deal as regards any technical issues.

The parties' answer will be considered by the Court – where appropriate by a member of the constitution proposed to hear the appeal – and a definitive decision made as to whether the appeal can proceed and what provision should be made about bundles.

For the avoidance of doubt the requirements of para. 29 (2) of PD 52C are **not** dispensed with: it should be as easy for counsel or solicitors to supply electronic copies of law reports (in PDF form) as to supply copies off BAILII.

SCHEDULE

The bundles must be suitable for use with Adobe Acrobat Reader and prepared as follows:

- (1) Each bundle (core, supplementary, authorities) should be a single PDF.
- (2) Each bundle must be numbered in ascending order regardless of whether multiple documents have been combined together (the original page numbers of the document will be ignored and just the bundle page number will be referred to).
- (3) Index pages and lists of authorities must be numbered as part of the single PDF document.
- (4) The default display view size of all pages must always be 100%.

- (5) Text on all pages should be selectable to facilitate comments and highlights to be imposed on the texts.
- (6) The bookmarks should be labelled indicating what document they are referring to (best to have the same name or title as the actual document) and also display the relevant page numbers.
- (7) The resolution on the electronic bundle should be reduced to about 200 to 300 dpi to prevent delays whilst scrolling from one page to another
- (8) The index page must be hyperlinked to the pages or documents they refer to.

Bundles should not be filed by being attached to an e-mail but should be made available in Dropbox or some other equivalent secure facility to which the Court and the parties are given access.