

**PRACTICE DIRECTION NO 2 of 2022**  
**IN THE COURT OF JUDICATURE OF NORTHERN IRELAND**  
**SUBMISSION AND FORMAT OF E-BUNDLES**  
**COURT OF APPEAL (CIVIL AND CRIMINAL DIVISIONS)**  
**CHANCERY DIVISION**  
**QUEEN'S BENCH DIVISION**  
**FAMILY DIVISION**

**Application and Scope**

This Practice Direction sets out the requirements in the Court of Judicature for the submission of electronic bundles ("e-bundles") where permitted by existing Practice Directions or by direction of the court. The guidance contained herein should give way to any specific directions by particular courts or the requirements of particular judges / masters in particular cases.

This Practice Direction is to be read and applied in conjunction with Practice Direction 1/2020 [REV2] (the Remote Hearings Practice Direction), the Court of Appeal (Civil and Criminal Divisions), Chancery, Queen's Bench and Family Divisions Practice Direction 6/2011 (revised March 2021), the Queen's Bench Division (Commercial) 'Commercial Hub' Practice Direction 1/2022 the Judicial Review Practice Direction 3/2018 and any Masters guidance pertaining to e-bundles.

This Practice Direction has effect from 1 June 2022.

Signed this 31st day of May 2022

A handwritten signature in black ink, appearing to read 'Siobhan Keegan', with a stylized flourish at the end.

The Right Honourable Dame Siobhan Roisin Keegan  
Lady Chief Justice

## **Submission of e-bundles**

1. Where use of an e-bundle is permitted, unless otherwise stated in an existing Practice Direction, (such as in the Commercial Court), or directed by the court, it is necessary to also lodge the appropriate number of hard copy hearing bundles for the court which must be delivered physically to the court office in the usual way. It is not the responsibility of the court office to print e-bundles received.
2. Unless otherwise directed or permitted by the court, the means of submitting e-bundles is via an email containing a cloud-based link to the appropriate court office. This link is to be provided by the lodging party (eg via the Bar Library's OBBS service, Bundledocs or similar) and it should have security measures built in such as password protection and/or time limit expiry. Where the e-bundle is a PDF no more than 10 MB in size, it may alternatively be sent as an attachment by e-mail (ie not via cloud-based link).
3. The lodging party is responsible for issuing the e-mail containing the e-bundle link or attachment, together with clear instructions, to the court and to the other participants so that they may each download their own copy of the same e-bundle. It is the responsibility of the lodging party to ensure consistency between bundles and that the correct active link, and password to access the link if used, are sent to the court and the other party/parties. Passwords should be sent in a separate email to the e-bundle link. When received by the court office and other parties, the actual PDF file, which contains the e-bundle, must not have any password protection in place.
4. The principal version of the e-bundle, which is to be used as a "master bundle" in court, should be agreed as final before lodging with the court. Parties must exercise caution in ensuring that this is a "clean copy", free from all annotations, notes, comments and mark ups that may have been applied to a working version of the e-bundle during the course of case preparation.
5. A read receipt will be required as proof of lodgement with the court office. The subject line of the email should contain the ICOS case /application number, short form case name, hearing date and name of judge (if known).
6. The judge will access the e-bundle provided via the court office.

7. It is important that the name of the file is easily identifiable and searchable. It must contain the following information in order to be uploaded into the court system:

- **ICOS case reference number<sup>1</sup>**
- **Party Filing** eg Plaintiff, 1<sup>st</sup> Defendant, 3<sup>rd</sup> Party etc
- **Description of Document**
- **Date of the Document**

For example “**19-012345 - Plaintiff - Core Bundle - 20210401**”.

8. The e-bundle should be electronically optimised so as to ensure that the file size is not larger than necessary, and to minimise difficulties when displaying or scrolling through the e-bundle.

### **Format of e-bundles**

9. E-bundles for use at the hearing must be prepared in accordance with the following provisions and the parties should work collaboratively in their preparation and give clear instructions as to compilation requirements of the agreed e-bundle. All parties must take into account realistic timeframes for this process in order to comply with all directions of the court.
10. E-bundles must be provided in unlocked editable PDF format, which can be read by all recipients without the need to purchase additional software. Unless otherwise directed or permitted by the court, the e-bundle (which must be identical in format, content and pagination as between e-bundle and to any hard copy) should be contained in a single PDF. In some instances it may be appropriate to consider if the bundle should be broken down into clearly marked sections, for example where there are very large or voluminous files it is usually better to have a core e-bundle containing the main documents for the hearing and (where appropriate) a separate single authorities e-bundle (compiled in accordance with these requirements). Ancillary documents, where they are required, can each form separate bundles but the indexing and pagination of everything that is submitted must follow the guidance set out in this practice direction unless there is case or court specific guidance to the contrary.
11. The e-bundle must be numbered in ascending order throughout. Numbering must be computer generated, and not numbered by hand. Pagination should begin with the first page of the bundle (whether or not that is a cover page or

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<sup>1</sup> This **must** be written using a - (a hyphen) between the year and number **not** / (a backslash) eg 19/012345 must be written as 19-012345. **NB - please use the full six digit ICOS number including 00's**

part of an index) and must follow sequentially to the last page of the bundle (for ease of page search functionality). New pagination must not be used for separate documents or folders within the single PDF. The hard copy bundles should bear the same page numbering as the e-bundle as well as any source copy material. This should appear at the foot of the page in the right-hand corner. Pagination should not mask relevant detail on the original document.

12. The index page(s) must be hyperlinked to the pages or documents to which it refers. Any paragraphs cited in the index should be highlighted in the bundle. All significant documents and all sections in bundles must be bookmarked in accordance with the index for ease of navigation, with a short description as the bookmark, so that each individual document can be accessed directly by hyperlink text both from the index page and from bookmarks on the left-hand side. The bookmark should contain the page number of the document.
13. Where appropriate hypertext links should be employed within documents, for example within submissions and skeleton arguments to link to the relevant paragraphs cited (which in turn should be highlighted), and should ideally permit the reader to move with one click from one authority to the next, in sequence with the skeleton argument. The parties should seek to agree on the extent to which hypertext linking is to be used and give clear and timely instructions to the compiler allowing for the final e-bundle to be checked before lodgement.
14. All pages of the e-bundle should be clear and easily read without need for further manipulation by the reader.
15. If a page has been created in landscape orientation, then it should appear in that orientation so that it can be read from left to right. No page should appear upside down, or sideways when viewed electronically.
16. Text in typed submissions or arguments should be in Book Antiqua font size 12 where possible.
17. Where it is not possible to include an electronic version of any text (such as some older legislative authorities or scanned documents), OCR (optical character recognition) format should be used where possible. This is the process which turns the document from a mere image of a document to one in which the text is machine-readable. The document then becomes searchable and words can be highlighted in the process of marking them up.
18. Text on all pages must be selectable to facilitate comments and highlights to be imposed on the text.
19. If supplementary documents are to be added after the e-bundle has been transmitted to the judge, then new pages must be supplemented at the end of

the bundle, marked as a supplementary bundle but with pagination continuing sequentially from the bundle as lodged. An enquiry should be made of the court as to the best way of providing the additional material. Subject to any different direction, the judge and other parties should be provided with both a) the new section clearly marked as additional material (the appropriate number of hard copies should also be lodged with the court) and separately (b) the updated index. This is because the judge, and other parties, may have already marked up the original bundle.

### **Litigants in Person**

20. An e-bundle is an organised collection of electronic copies of documents for use at a court hearing. Ordinarily the applicant is responsible for preparing the e-bundle. If a litigant in person is the applicant the e-bundle must still comply with the above requirements or, as detailed below, make specific application to the court. The court office cannot offer any technical advice or assistance.
21. If it is not possible for a litigant in person to comply with these requirements, a brief explanation of the reasons for this should be provided to the court<sup>2</sup> as far in advance of the hearing as possible, but in any event not less than 14 days before the hearing date. The judge will be invited to make a direction that is appropriate to the case. Subject to any assistance which the other party can provide (see below) the litigant in person should try to identify a practical way of overcoming the problem so that the court can consider this.
22. In a case in which a litigant in person is the applicant and another party has legal representation, the legal representatives for the other party may consider offering to prepare the e-bundle. The litigant in person will still be entitled to indicate to the other party's solicitor which documents they consider necessary for inclusion in the e-bundle.

### **General**

23. Non-compliance with these guidelines may result in your e-bundle being returned for re-compilation and the case / matter taken out of the list.
24. During the hearing, Counsel should refer only to the e-bundle numbering when addressing the court (and not page numbers within any individual source material / document).
25. An easy-read checklist is attached for ease of reference at Annex A.

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<sup>2</sup> LIP should contact the relevant court office with which they have been liaising in respect of the case. An email address and telephone number are normally displayed on any correspondence issued and any reference given should be quoted when making contact.

## CHECKLIST FOR ELECTRONIC BUNDLES (E-BUNDLES)

An e-bundle is an organised collection of electronic copies of documents for use at a court hearing. Ordinarily the applicant is responsible for preparing the e-bundle. If a Litigant in Person (LIP) is the applicant, the e-bundle must still comply with the Practice Direction on the Submission and Format of e-bundles. This can be found at [https://www.judiciaryni.uk/judicial-decisions/type/practice\\_decision/date/2022](https://www.judiciaryni.uk/judicial-decisions/type/practice_decision/date/2022). The court office cannot offer any technical advice or assistance in preparing or compiling the e-bundle.

### ESSENTIALS

Check [here](#) if there is a Practice Direction relevant to your specific case type which specifies how an e-bundle must be formatted (eg Judicial Review, Commercial Hub etc)

Otherwise, each e-bundle must:

- **be a single editable PDF** - unless otherwise directed by the court. (PDF stands for "Portable Document Format." It is a file format designed to present documents consistently across multiple devices and platforms.)
- **number pages starting with 1 on the first page in ascending order and with no gaps** (numbering must be computer-generated and be positioned clearly in the bottom right-hand corner of each page). Pagination should begin with the first page (whether or not this is a cover page or the index) and follow sequentially to the last page. It should not mask relevant detail.
- **be clear and easily read** on opening without need for manipulation or additional software, and must not be password protected.
- **allow text to be selected** to facilitate comments and highlights.
- include a **hyperlinked index page**.
- have **significant documents and sections bookmarked** and highlighted (with appropriate labelling).
- be a **'clean copy' agreed** as complete and final between the parties **within the timeframe required** by the court.

- in order to be uploaded into the court system, the filename must contain:
  - **ICOS case reference number**<sup>3</sup>
  - **Party Filing** eg Plaintiff, 1<sup>st</sup> Defendant, 3<sup>rd</sup> Party etc
  - **Description of Document**
  - **Date of the Document**

For example “**19-012345 - Plaintiff - Core Bundle - 20210401**”

- be **shared at the same time** with the court and other parties by way of email including cloud-based link with clear instructions for accessing, or PDF attachment (ensuring that each attachment is less than 10MB in size).
- be lodged with the court office in **hard-copy format** unless otherwise stated.
- **not be changed after it has been lodged** ie thereafter any additional documents must be lodged separately, clearly marked as a supplemental e-bundle, and numbered to continue from the end of the ‘master e-bundle’ already lodged.

## BEST PRACTICE

- **Where possible, documents should be subject to OCR** (optical character recognition) so they are **text searchable**.
- Text in typed submissions or arguments should be in **Book Antiqua font size 12** where possible.
- Where appropriate **hypertext links should be used within documents** (eg submissions and skeletons arguments) to link to the relevant paragraphs cited. The parties should seek to agree on the extent to which this is required.
- Any paragraphs to be cited should be **highlighted** for ease of reference.
- A read receipt will be required as proof of lodgement with the court office.

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<sup>3</sup> This **must** be written using a - (a hyphen) between the year and number **not** / (a backslash) eg. 19/012345 must be written as 19-012345. **NB - please use the full six digit ICOS number including 00's**