



Supreme Court of Victoria

Practice Note SC Gen 7

Transcript in Civil Proceedings

1. INTRODUCTION

- 1.1 The Chief Justice has authorised the issue of the following Practice Note.
- 1.2 The purpose of this Practice Note is to set out the requirement for transcript in civil proceedings in the Trial Division and Court of Appeal.

2. COMMENCEMENT

- 2.1 This Practice Note commences on 1 July 2018 and, as revised, applies to all civil proceedings in the Trial Division and Court of Appeal of the Supreme Court of Victoria whether heard in Melbourne or on circuit.

3. DEFINITIONS

- 3.1 In this Practice Note:
preferred supplier means Auscript Australasia Pty Ltd

4. TRANSCRIPT ARRANGEMENTS

- 4.1 Pursuant to s 130(3A) of the *Evidence (Miscellaneous Provisions) Act 1958*¹ an agreement has been entered into with the preferred supplier for the provision of recording and transcription services to the Supreme Court.
- 4.2 Transcription services in the Supreme Court are therefore to be provided through the preferred supplier unless a party to the legal proceeding shows grounds to the satisfaction of the Court that another person should record and transcribe the evidence and a direction is made to that effect.
- 4.3 There is an agreement in place with the preferred service provider for the provision of transcript in civil proceedings in the Court. The principal objective of the agreement is to ensure that transcript of high quality is provided to the Court and to the parties at reasonable cost.

¹ NB By virtue Administrative Arrangements Order (No233) 2016 effective from 1 July 2016 the Chief Executive Officer of Court Services Victoria has the functions of the Secretary of the Department of Justice under s130(3A) of the *Evidence (Miscellaneous Provisions) Act 1958*.

5. TRIALS

- 5.1 To ensure the efficient conduct of proceedings the Court has determined that transcript is required for all trials.
- 5.2 Subject to any contrary order, a hearing date for the trial will not be fixed unless the parties' solicitors, or the litigant if unrepresented, have signed and delivered a purchase order form to the preferred supplier (or, entered into a contract with another licensed supplier pursuant to a direction given by the Court under s 130(3A) of the *Evidence (Miscellaneous Provisions) Act 1958*) for the provision of recording and transcription services in accordance with the agreement.

6. OTHER HEARINGS

- 6.1 The Practice Notes in relation to particular divisions, lists and proceedings indicate when transcript is required as a matter of course for directions hearings, interlocutory applications and other hearings.

7. COSTS

- 7.1 The cost of transcript and incidental expenses shall be borne by the parties in the first instance. The solicitor, or the litigant if unrepresented, signing the purchase order shall pay the preferred supplier the cost of all transcript provided pursuant to a purchase order.
- 7.2 The ultimate burden of the cost of provision of transcript to the parties and the Court will be dealt with as part of the costs of the proceeding.

8. CONTACTS

- 8.1 Auscript Australasia Pty Ltd may be contacted via:
 - Website: www.auscript.com
 - Phone: (03) 9672 5601
- 8.2 Enquiries in relation to technical matters may be directed to the In Court Technology Unit on (03) 9603 2410

AMENDMENT HISTORY

30 January 2017: Practice Note Gen 7 was issued on 30 January 2017 and replaced Practice Note No 3 of 2002

29 June 2018: Practice Note Gen 7 was reissued with amendments to paragraphs 1, 2, 3, 4, 5, 6 and 8 replacing the version issued on 30 January 2017.

Vivienne Macgillivray
Executive Associate to the Chief Justice
29 June 2018