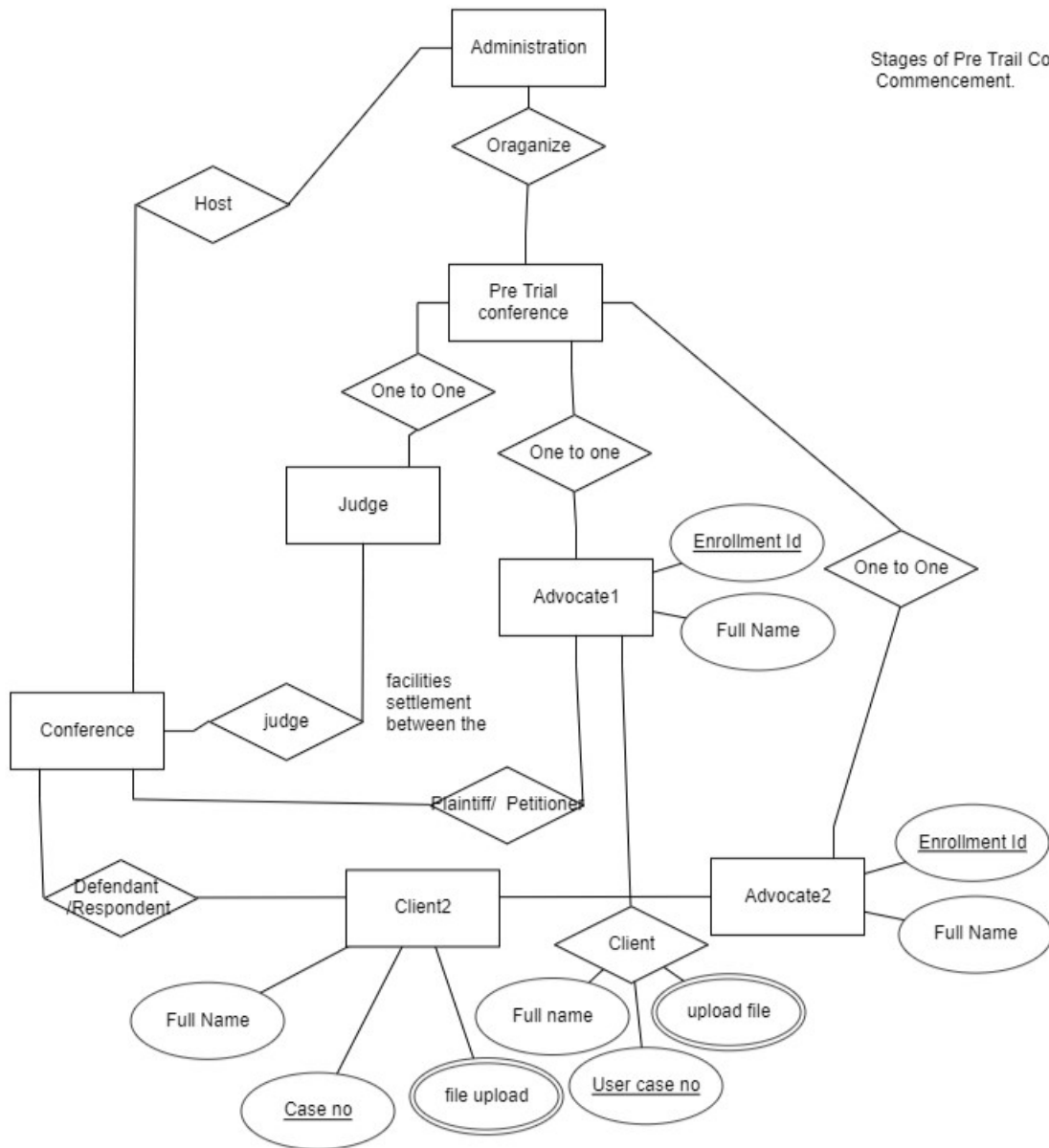


# PRE-TRIAL CONFERENCES

A case management hearing, which is often called a pre-trial conference (PTC), in other jurisdictions, is a virtual or real gathering between litigants prior to the trial before a judge or judicial authority.



- (A) What is a Pre-Trial Conference (PTC)
- (B) How should I prepare for the PTC?
- (C) What should I expect during the hearing?
- (D) Criminal Case Disclosure Conference (CCDC)



### (A) What is a Pre-Trial Conference (PTC)?

A Pre-Trial Conference (PTC) is a meeting that occurs after an accused person claims trial in court. Its main purposes are to prepare for the upcoming trial, discuss settlement options, schedule the trial date, address administrative issues, and clarify legal procedures. It's a crucial step in the legal process, ensuring that both the accused and the prosecution are ready for trial.

## **(B) How should I prepare for the PTC?**

1. **\*\*Request for Your Statement\*\***: Check if the Prosecution intends to use any written statement you provided to the police as evidence. If they do, you have the right to request a copy of that statement. This can help you prepare your defense and understand the evidence against you.
2. **\*\*Number of Witnesses\*\***: Indicate to the Court the number of witnesses you plan to call during the trial. This information helps in organizing the trial proceedings and ensures that the necessary arrangements are made for your witnesses.
3. **\*\*Need for a Translator\*\***: If you or any of your witnesses require a translator because of language barriers, inform the Judge during the PTC. The court can arrange for an interpreter to assist you and your witnesses during the trial.
4. **\*\*Legal Defense Strategy\*\***: Be prepared to provide an indication of the legal defense strategy you intend to rely on during the trial. This could include self-defense, alibi, or any other relevant defense. Sharing this information helps the court and the prosecution understand your approach to the case.

Taking these steps before the PTC can help streamline the proceedings, ensure that you have access to necessary evidence, and facilitate effective communication with the court. It's important to consult with legal counsel or seek legal advice if you have any doubts or questions about how to address these matters during the PTC.

## **(C) What should I expect during the hearing?**

During the Pre-Trial Conference (PTC), you can expect the following proceedings:

1. **\*\*Attendance\*\***: You, as the accused, must attend the PTC along with the Prosecution, who will be represented by either a Police Prosecutor or a Deputy Public Prosecutor (DPP).
2. **\*\*Case Readiness Assessment\*\***: The primary purpose of the PTC is to determine whether the case is ready for trial. The court will assess the readiness of both the accused and the prosecution in terms of evidence, witnesses, and administrative matters.
3. **\*\*Evidence Disclosure\*\***: Both you and the Prosecution will inform the Judge about the nature of the evidence you intend to present during the trial. This includes any documents, statements, or other materials that will be used as evidence.
4. **\*\*Witnesses\*\***: The PTC is the time when the parties will disclose the list of witnesses they plan to call during the trial. This information helps in organizing the trial proceedings.
5. **\*\*Administrative Matters\*\***: The PTC is also an opportunity to address any administrative issues related to the case, such as scheduling, legal motions, or other procedural matters. If applicable, a Criminal Case Disclosure Conference may be conducted during this phase to discuss the exchange of evidence and information between the parties.

6. **Trial Date**: Once all administrative matters have been sorted out, the Judge will set a date for the trial. This trial date will be a crucial milestone, and you should make sure you can attend court on that specified date.
7. **Legal Representation**: If you don't have legal representation, the court may inquire about your readiness to proceed without a lawyer. It's essential to understand your rights and responsibilities in this regard.
8. **Case Strategy**: The Judge may also ask you for an indication of the legal defense strategy you intend to rely on during the trial. Be prepared to share this information.

#### **(D) Criminal Case Disclosure Conference (CCDC)**

A Criminal Case Disclosure Conference (CCDC) is a formalized process of reciprocal disclosure that allows both the accused and the Prosecution to exchange information about their cases and the evidence they intend to rely on before the trial. Here are key points regarding CCDC:

1. **Applicability**: CCDC applies to specific types of cases listed under various statutes, such as the Arms and Explosives Act, Misuse of Drugs Act, and Penal Code, among others. If your charge falls under one of these statutes, CCDC may apply to your case.
2. **Application**: In some cases, the Judge may inform you during the first Pre-Trial Conference (PTC) whether CCDC applies to your case and ask if you wish to participate. In other cases, CCDC will apply only if all parties involved in the proceedings consent to it.
3. **Voluntary Participation**: Participation in CCDC is optional. You have the choice to decide whether to participate. It can provide you with a better understanding of the Prosecution's evidence against you, which may help you make informed decisions about your defense strategy.
4. **Compliance with Directions**: If you choose to participate in CCDC, you must be prepared to follow the Judge's directions to facilitate the discovery procedure. This may include preparing and exchanging documents related to your case.
5. **Prosecution's Case Disclosure**: If you opt for CCDC, the Prosecution will be directed to provide you with a "Case for the Prosecution." This document typically includes details such as the charge against you, a summary of facts, a list of witnesses, evidence to be produced, and any statements made by you to law enforcement that the Prosecution intends to use as evidence.
6. **Preparation of Defense Case**: If you indicate your intention to claim trial after reviewing the Prosecution's Case, the Court will direct you to prepare a "Case for the Defense." This

includes a summary of your defense, a list of your witnesses, evidence you intend to produce, and any objections to the Prosecution's Case.

7. **\*\*Adherence to Timelines\*\***: You must adhere to the timelines set by the Court for preparing and serving your Case for the Defense. Failure to do so may have adverse consequences for your defense.

8. **\*\*Review of Evidence\*\***: Carefully review all the evidence disclosed during CCDC, including statements and documents. This information will be essential in making decisions about whether to claim trial or plead guilty.

9. **\*\*Trial Scheduling\*\***: If both you and the Prosecution decide to proceed with the charges, and if you intend to claim trial, the Judge will schedule a date for the trial during a subsequent CCDC.