Ten Leu Jiun Jeanne-Marie *v* National University of Singapore
[2015] SGCA 41

Case Number	: Civil Appeal No 177 of 2014
Decision Date	: 13 August 2015
Tribunal/Court	: Court of Appeal
Coram	: Chao Hick Tin JA; Andrew Phang Boon Leong JA; Quentin Loh J
Counsel Name(s)	: The appellant in person; Chia Voon Jiet and Lua Jie Ying Kelly (Drew & Napier LLC) for the respondent.
Parties	: Ten Leu Jiun Jeanne-Marie — National University of Singapore

Courts and Jurisdiction – Duty to provide reasons

[LawNet Editorial Note: The decision from which this appeal arose is reported at [2015] 1 SLR 708.]

13 August 2015

Chao Hick Tin JA (delivering the grounds of decision of the court):

Introduction

1 This appeal raised the question as to the duty of the court to provide reasons for its decisions. Ms Ten Leu Jiun Jeanne-Marie ("the Appellant") brought the appeal against the decision of Tan Siong Thye J ("the Judge") in *Ten Leu Jiun Jeanne-Marie v National University of Singapore* [2015] 1 SLR 708 ("the GD").

2 Both the proceedings before the High Court and this court stemmed from Originating Summons No 699 of 2014 ("OS 699/2014"), the Appellant's application that "[w]ritten Grounds of Decision shall be provided in respect of interlocutory hearings before this Honourable Court".

3 On 26 May 2015, having considered the parties' written and oral submissions, we dismissed the appeal. These are our grounds.

Background

The Appellant's candidature at the National University of Singapore

4 The Appellant was a Masters of Arts (Architecture) ("the Degree") candidate at the National University of Singapore ("the Respondent"). In February 2005, the Appellant submitted her thesis to the Respondent for examination. However, she subsequently raised concerns about her supervisor, Dr Wong Yunn Chii ("Dr Wong"), and alleged that he planned to plagiarise her thesis for his personal project.

5 In June 2005, the Respondent convened a Committee of Inquiry ("COI") to look into the Appellant's complaints. The COI issued its report on 20 July 2005. Although the COI found that "Dr Wong did not comply fully with his duties of supervision", [note: 1] it nevertheless concluded that there was no evidence to support the Appellant's complaints and that the proposed process of

examination of the Appellant's thesis was "fair and just and should be confirmed". [note: 2] The Respondent proceeded to examine the Appellant's thesis.

6 In the meantime, and despite the COI's findings, the Appellant continued to complain about the examination process. She also protested against the Respondent's decision to send her thesis for examination. [note: 3]

7 On 25 November 2005, the Respondent informed the Appellant that the examination of her thesis had been completed and that she would be awarded the Degree provided that she satisfied the following requirements within one month (eventually extended to 31 August 2006):

(a) make certain amendments to her thesis;

(b) submit her thesis in accordance with the Respondent's existing rules – in particular, she was to upload her finalised thesis to the Respondent's Digital Thesis Repository and provide a copy in PDF format; and

(c) submit the Electronic Thesis Submission Form – a standard requirement which all graduate research students were required to meet.

8 By August 2006, the Appellant had not satisfied the administrative requirements listed in [7(b)] and [7(c)] above. She also continued to protest against the sending of her thesis for examination. In her oral submissions in court, the Appellant informed us that her refusal to satisfy the administrative requirements was an extension of her dissatisfaction with the manner in which the examination of her thesis had been handled.

9 In a letter dated 11 August 2006, the Respondent informed the Appellant that she should provide written confirmation of her acceptance of the Respondent's decisions to proceed with the examination of her thesis and satisfy the outstanding administrative requirements by 31 August 2006. [note: 4] This was reiterated in an email dated 30 August 2006. [note: 5]

10 By 4 September 2006, the Appellant had not provided any written confirmation. Neither had she satisfied the outstanding administrative requirements. Therefore, by way of a letter dated 4 September 2006, the Respondent informed the Appellant that her candidature had ceased. [note: 6]

The Appellant's commencement of legal proceedings

11 On 8 August 2012, the Appellant filed a Writ of Summons in Suit No 667 of 2012 ("S 667/2012"). She was then represented by Mr Louis Joseph from M/s LF Violet Netto. She was suing the Respondent for breach of contract on the ground that the Respondent had wrongly terminated her candidature.

12 On 7 February 2013, the Statement of Claim was amended to include claims based on the torts of negligence, misfeasance in public office and intimidation. The facts relied on were substantially the same. At this point, the Appellant was represented by M/s Peter Low LLC.

The discovery application

13 On 28 June 2013, the Appellant filed Summons No 3299 of 2013, seeking discovery of:

(a) all documents evidencing the Respondent's implementation and follow-up of the COI's

recommendations at paragraphs 22(a) and (b) of the COI report dated 20 July 2005 (which were that Dr Wong be censured for the manner in which he supervised the Appellant, and that appropriate steps be taken to ensure Dr Wong was fully aware of the role and duties of a supervisor to his student), [note: 7] including but not limited to any formal notice of censure issued to Dr Wong;

(b) all correspondence between members of the COI and administrative officers and agents of the Respondent writing on behalf of the COI to invite Dr Wong to provide his response to the COI on the complaints by the Appellant;

(c) the finalised and published project titled "Interactive Immersive Visualization of Commercial Square, Singapore" by Dr Wong in collaboration with Stephen K Wittkopf and Heng Chye Kiang ("the Research Project"); [note: 8]

(d) all documents and correspondence relating to the outcome of the "Application for a Research Grant" for the Research Project dated 26 January 2005, including but not limited to all documents and correspondence concerning the outcome of the application for research grant and funding disbursements pursuant to the Research Project;

(e) all correspondence amongst various parties relating to the marking, grading and amendment of the Appellant's thesis;

(f) attachments from two emails between parties involved in the examination of the Appellant's thesis;

(g) all documents and correspondence between the officers and agents of the Respondent and the Ministry of Education between 9 May 2011 and 15 August 2011; and

(h) all documents and internal correspondence between the Respondent's employees and Dr Kong (one of the examiners) relating to the correspondence with the Ministry of Education regarding the termination of the Appellant's candidature.

14 Parties appeared before the assistant registrar ("the AR") on 22 July 2013. The AR reserved judgment. On 12 September 2013, the AR dismissed the Appellant's application. He also issued his grounds for the decision. In particular, the AR found that (a) the Appellant had not pleaded that the Respondent acted in bad faith, and as such any documents which she sought in that respect amounted to fishing and (b) the documents relating to the correspondence with the Ministry of Education were subject to privilege. [note: 9]

15 On 24 September 2013, the Appellant filed a notice of appeal against the AR's decision in Registrar's Appeal No 320 of 2013 ("RA 320/2013"). The matter was fixed before the Judge.

The Registrar's Appeal and the leave application

16 Parties appeared before the Judge on 5 November 2013 after having tendered written submissions. The Judge dismissed the appeal.

17 On 11 November 2013, by Summons No 5875 of 2013 ("SUM 5875/2013"), the Appellant applied for leave to appeal against the Judge's decision in RA 320/2013. The leave application was fixed for hearing on 15 January 2014. On 31 December 2013, the Appellant requested, by way of a letter, a

copy of the Grounds of Decision for RA 320/2013. [note: 10] On 9 January 2014, the court replied indicating that the Appellant's request was allowed. The Appellant was provided with the Judge's minute sheet.

18 On 15 January 2014, parties appeared before the Judge. The Appellant requested to sit in for the hearing. The Judge allowed her request notwithstanding objections by counsel for the Respondent. After hearing submissions from the parties, the Judge dismissed the application for leave.

The Appellant's requests for the Judge's Grounds of Decision

19 Shortly after the Appellant's leave application was dismissed, she changed solicitors twice in quick succession – first (back) to M/s LF Violet Netto on 21 January 2014 and then to M/s Advocatus Law LLP on 7 March 2014.

20 On 31 March 2014, the Appellant's (new) solicitors, by way of a letter to the court, requested for the Judge's Grounds of Decision for RA 320/2013, as well as his Notes of Argument and Grounds of Decision for SUM 5875/2013. [note: 11] On 14 April 2014, the Appellant's solicitors sent in a further letter, this time clarifying that they had received the Notes of Arguments for both hearings but had yet to receive any Grounds of Decision. [note: 12]

21 On 23 April 2014, a letter was sent on behalf of the Registrar of the Supreme Court to the Appellant, stating the following: [note: 13]

> I am directed to inform parties that the Notes of Evidence for hearings on 5 November 2013 and 15 January 2014 have already been provided and there is no need for Grounds of Decision for this case.

22 In the meantime, in April and May 2014, the Appellant wrote to the Chief Justice and the Attorney-General, essentially complaining that she did not receive any Grounds of Decision and requesting for a new hearing. [note: 14] On 21 May 2014, the Chief Executive ("the CE") of the Supreme Court, on behalf of the Chief Justice, replied to the Appellant. In the letter, the CE essentially explained why the Appellant's application and appeal were dismissed, reminded her that the AR's decision had been explained in writing, and informed her that the court was unable to accede to her request for a new hearing. [note: 15]

The Appellant's application for written Grounds of Decision

23 On 22 July 2014, as stated above at [2], the Appellant applied by way of OS 699/2014 for "[w]ritten Grounds of Decision" to be provided "in respect of interlocutory hearings before this Honourable Court". [note: 16] At this point, she had once again changed solicitors, this time back to M/s LF Violet Netto. The matter was fixed before the Judge.

24 Parties appeared before the Judge on 29 September 2014, where counsel for the Appellant applied for the Judge to recuse himself. The Judge disallowed the application. Counsel for the Appellant then sought an adjournment "to take [his] client's instructions as to whether an appeal should be mounted in respect of the [Judge's dismissal of the recusal application]". [note: 17] The Judge granted the adjournment.

25 Parties next appeared before the Judge on 20 October 2014. Counsel for the Appellant sought a

further adjournment as he again needed to obtain his client's instructions. The Judge adjourned the matter to 27 October 2014.

26 On 27 October 2014, counsel for the Appellant indicated that his client was not seeking leave to appeal against the Judge's dismissal of the recusal application. During that hearing, the Appellant requested to be present. Again, despite objections by the Respondent, the Judge acceded to her request. After hearing the parties, the Judge dismissed the application, stating as follows: [note: 18]

> The court agrees with the principle in Thong Ah Fat. Parties should know the reasons for the court's decision. This can be oral or in writing. It is for this reason that despite the [Respondent's] objection to [the Appellant's] presence in these proceedings the court had allowed her to be present on both occasions so that she understands what is going on despite being represented by lawyers.
>
> In the appeal against the order of [the AR], I have explained to parties that the fundamental consideration is whether these documents … were relevant and necessary. Parties knew that this is the pivotal determination for discovery application. I had orally explained to the parties that the [Appellant] had not satisfied this principle. And this was the reason for dismissing the appeal.
>
> It was therefore erroneous for [the Appellant] to say that she did not know or that the court had not given any reason for that decision. The reasons were articulated but it was not reflected in the notes.
>
> It is because I believe that parties should know the reasons of the court decisions that I have written more than 25 full judgments for last year. More than 70% of those decisions were voluntarily written even before parties had filed any appeal. The court has to exercise its discretion whether or not to issue written judgment. This will depend on the merits of each case.
>
> Accordingly, the OS is dismissed.

27 On 21 November 2014, the Judge issued his detailed reasons in the GD.

Decision below

28 In the GD, the Judge first explained why he dismissed the Appellant's recusal application. He stated that the Appellant's recusal application was frivolous, as were her allegations of apparent bias and breaches of natural justice (at [27]). Furthermore, it was inappropriate for any other judge to deal with OS 699/2014 as it was an application specifically demanding that he – the Judge – issue written judgments for RA 320/2013 and SUM 5875/2013 (also at [27]).

29 The Judge then addressed the Appellant's arguments that written grounds should have been issued by him as follows:

> (a) First, the failure to provide the Appellant with written grounds did not violate Article 12 of the Constitution of the Republic of Singapore (1985 Rev Ed, 1999 Reprint). The Appellant could not show, whether from the Constitution, the rules of natural justice, or the Rules of Court, that judges had a duty to deliver written grounds in every case, and that litigants correspondingly had a legal right in every case to written grounds. The premise of her claim (that in some cases written grounds are delivered, and that therefore the litigants in these cases are somewhat "better off") was based on a specious comparison and her argument was grounded on consequential reasoning (at [33]).

(b) Second, the Appellant's allegation that she was prejudiced in her application for leave in SUM 5875/2013 was unsupported by the evidence. Not only was the Appellant adequately advised by M/s Peter Low LLC, the same firm that represented her both before the AR and in RA 320/2013, her submissions for SUM 5875/2013 were comprehensive and apposite, indicative that she was fully apprised of the relevant issues (at [35]–[36]).

(c) Third, the Appellant's argument that "written grounds would benefit the local jurisprudence" had its limits. It was the quality – not the quantity – of judgments that ultimately mattered. The discovery proceedings in this case involved largely routine matters that turned primarily on facts. There were no unique points of law. Any contribution to the local jurisprudence would have hence been of minimal significance (at [37]–[38]).

(d) Fourth, the Appellant's argument that written grounds would save judicial time and resources, again, had its limits. Her reliance on *Thong Ah Fat v Public Prosecutor* [2012] 1 SLR 676 ("*Thong Ah Fat*") was misconceived as the facts there were materially different. In this case, the AR had already applied the test of relevance and necessity and adequately explained why the plaintiff had failed to satisfy the threshold test (at [39]–[41]). Also, the Judge allowed the Appellant to be present at the hearing of both SUM 5875/2013 and OS 699/2014; thus she would have heard the reasons uttered by the Judge for his decision (at [47]–[50]). Furthermore, the Judge noted (at [53]) the following upon his analysis of *Thong Ah Fat*:

> … First, although there is a general duty to give reasons for a decision, this duty does not extend to all cases especially the less significant ones. Second, the duty to give reasons does not equate to a duty to provide *written decisions*. … [emphasis in original]

The parties' cases

The Appellant's case

30 The Appellant conducted her appeal in person before this court. She made the following points:

(a) The Judge was mistaken in his recollection that he orally explained his decision; [note: 19] thus he had erred in fact. [note: 20]

(b) The Judge erred in law by failing to comply with O 38A of the Rules of Court (Cap 322, R 5, 2014 Rev Ed) ("the Rules of Court"), which requires that an official record be made of every hearing. [note: 21] The Judge erred when he claimed that he had provided oral reasons in hearings even though his official notes or records of the hearings did not contain any mention of his oral reasons. [note: 22]

(c) In reading O 38A with *Thong Ah Fat*, the conclusion was that all court decisions must ultimately lead to written records containing sufficient reasons, with the exception of very narrow categories of decisions as defined in *Thong Ah Fat* at [31]–[33] and [45]. [note: 23] As such, the Judge's distinction between "oral" and "written" reasons was wrong in law. [note: 24]

(d) Order 38A, read with *Thong Ah Fat*, created and gave rise to a correlative right and a legitimate expectation on the part of litigants to receive these written reasons or grounds of decision. [note: 25]

31 A significant portion of the Appellant's submissions, however, did not relate to the present appeal against the Judge's decision in OS 699/2014. Rather, they related to the merits of her case in S 667/2012 and the proceedings therein. Furthermore, her submissions concluded with a prayer that: [note: 26]

> … the Honourable Court of Appeal could allow me to have a fresh opportunity to appeal – or to apply for leave to appeal – RA 320 to the Court of Appeal.

The Respondent's case

32 The Respondent submitted that the Appellant was using this appeal to seek a complete rehearing of RA 320/2013 and SUM 5875/2013. This was "procedurally defective, and utterly without basis". [note: 27] The Respondent also made two points in relation to the Appellant's arguments.

33 First, the Appellant erred in her view of the scope of O 38A. Order 38A "does not require verbatim or detailed notes to be made at each hearing". [note: 28] Rather, O 38A was satisfied by the provision of notes of evidence, which was done in this case. [note: 29]

34 Second, the Appellant erred in her understanding of *Thong Ah Fat*. *Thong Ah Fat* did not stand for the proposition that written grounds needed to be issued in all cases. Rather, the court in *Thong Ah Fat* recognised that although a judge "must ordinarily give adequate reasons for any decision made", the duty to give reasons was not absolute and must be measured against "a standard of explanation *which corresponds to the requirements of the case*" [emphasis in original] so as to "strike an appropriate balance". [note: 30]

35 In the remainder of the Respondent's submissions, the Respondent addressed why this court could not (and, in any case, should not) grant leave to the Appellant to appeal against the Judge's decision in RA 320/2013. [note: 31]

Issue before this Court

36 As stated above at [2] and [23], the sole prayer in OS 699/2014 reads:

> Written Grounds of Decision shall be provided in respect of interlocutory hearings before this Honourable Court.

37 As this appeal stemmed from the Judge's dismissal of OS 699/2014, there was only one issue before this court, namely, whether the Judge erred in finding that written Grounds of Decision need not be provided in respect of all interlocutory hearings before the court. In other words, is there a duty on the court to issue written grounds of decision for every interlocutory hearing?

38 In the context of the parties' oral arguments, however, it was clear and seemed to have been accepted that the Appellant's case was more targeted than the prayer in OS 699/2014 indicated. The Appellant's case was confined to her matters before the Judge – namely, RA 320/2013 and SUM 5875/2013 – and did not extend to *all* interlocutory hearings. Accordingly, the only true issue which the Appellant sought to advance before us was a narrower one: should written grounds of decision be provided in respect of RA 320/2013 and SUM 5875/2013?

Our analysis

Our decision

39 Our answer to the issue as stated in [38] above is an emphatic "no"; written grounds are not required for RA 320/2013 and SUM 5875/2013. For this reason, the Judge was correct in dismissing the application in OS 699/2014 and, correspondingly, we were also of the opinion that the appeal should be dismissed.

The law

Duty to provide reasons

40 This court discussed the duty to provide reasons in *Thong Ah Fat*. We propose to highlight a few aspects of that decision. First, the purposes behind the duty to provide reasons were explained. One such purpose was to inform parties – after they have had their day in court – as to why they had won or lost (*Thong Ah Fat* at [21]).

41 Second, a distinction was drawn between the – broader – duty to provide reasons and the duty to issue a written judgment. With regard to the latter, there was no duty to issue written judgments in every case. This can be seen from the following (*Thong Ah Fat* at [28]–[31]):

> 28 The duty to give reasons … requires … that the judge sets out what has passed in his mind.
>
> 29 This requirement to set out reasons may increase costs and result in delays. … It would indeed be undesirable if considerations of form rather than of substance required unnecessary time to be spent in writing rather than in judging. …
>
> 30 We think that the correct response to these concerns is to have a standard of explanation *which corresponds to the requirements of the case* rather than to reject the duty totally. The key is to strike an appropriate balance. …
>
> 31 At this juncture, we would caution against equating the duty to give reasons with a duty to issue a written judgment or provide oral grounds in every case. …
>
> [emphasis in original]

42 Third, even when it came to the duty to provide reasons, there were exceptions. This can be seen from the following (*Thong Ah Fat* at [32]–[33]):

> 32 Additionally, there are exceptions to this duty to provide reasons. Thus, in certain instances, a judge may not be in error when he fails to state reasons. In *Sun Alliance Insurance Ltd v Massoud* [1989] VR 8 ("*Sun Alliance*"), Gray J pragmatically stated that (at 19):
>
> > The simplicity of the context of the case or the state of the evidence may be such that a mere statement of the judge's conclusion will sufficiently indicate the basis of a decision ... In such cases, the foundation for the judge's conclusion will be indicated as a matter of necessary inference.
>
> The same was stated in *Brittingham v Williams* [1932] VLR 237 at 239 and *Public Service Board of NSW* ([19] *supra*) at 566. But this approach must be confined to very clear cases and in relation to specific and straightforward factual or legal issues. Otherwise, the exceptions would seriously undermine the duty to give reasons.

33 We also note that the duty has been held not to apply to certain matters of lesser significance. For example, there are some types of interlocutory applications, mainly those with a procedural focus, which a judge can properly make an order without giving reasons …

Order 38A

43 The relevant portion of O 38A of the Rules of Court states:

Record of hearing (O. 38A, r. 1)

1.—(1) An official record shall be made of every hearing and the official record of hearing shall consist of the following:

(*a*) in a hearing where an audio recording system approved by the Registrar is used, the audio recording; and

(*b*) in a hearing where an audio recording system is not used, the notes of hearing recorded in such manner as the Registrar or the Court may determine.

44 The Rules of Court regulate procedure and practice (see s 80(1) of the Supreme Court of Judicature Act (Cap 322, 2007 Rev Ed) and *Au Wai Pang v Attorney-General and another matter* [2014] 3 SLR 357 at [34]).

45 What O 38A – or specifically O 38A r 1(1)(*b*) – purports to regulate is *how* the notes of hearing are to be recorded. It does not prescribe *what* the notes of hearing should contain, let alone delineate any particular "minimum content". This much is clear from the wording of the rule itself, as well as paragraph 21(2) of the Supreme Court Practice Directions (updated on 15 April 2015) which reads:

(2) The Registrar further directs that in proceedings where no audio recording is made, the notes of hearing shall be taken down by the Judge, judicial officer, Justices' Law Clerk or court officer, whether by hand or through the use of a computer or electronic device and, pursuant to Order 38A, Rule 1(1)(b), the transcript of the notes of hearing shall constitute the official record of hearing.

Application to the facts

46 First, it was clear that the Appellant's approach to O 38A of the Rules of Court – that O 38A mandates that the court include certain things in its notes of hearing – is misguided. This is because, as noted above at [45], O 38A simply deals with how the notes of hearing are to be recorded. Thus, her argument that "reading O 38A with *Thong Ah Fat*, the conclusion is that all court decisions must ultimately lead to written records containing sufficient reasons" (above at [30(c)]) must fail.

47 Second, it is clear from *Thong Ah Fat* that there is no duty to provide reasons, let alone written judgments, in all cases. Routine interlocutory applications are prime examples where the general duty to provide reasons does not apply. RA 320/2013 essentially involved a discovery application. The general principles governing discovery – necessity and relevance – are well established. Allied to these two principles is the need to guard against "fishing" expeditions. There is also the concept of privilege, which may militate against disclosure. These, too, are trite principles. Similarly, SUM 5875/2013, an application for leave, involved neither complex nor novel concepts. On these grounds alone, both RA 320/2013 and SUM 5875/2013 could be said to fall into the category of cases

whereby the duty to provide reasons did not apply. However, there are even more persuasive grounds on which the Appellant's case could be disposed of.

48 The Appellant applied first to the AR for eight categories of documents. Some of the categories were as wide as to include *all* documents and correspondence between the Respondent and the Ministry of Education between 9 May and 15 August 2011. The AR held that most of the documents sought were unnecessary or irrelevant. A few documents, including the correspondence between the Respondent and the Ministry of Education, though necessary, were subject to privilege. After considering each category of documents and detailing his reasons, the AR dismissed the application.

49 By the time the Appellant appeared before the Judge, not only had she the AR's grounds to go by, she would presumably have been advised by her counsel on the matter. Not only was this a rather routine discovery application, the Appellant must surely have been made aware of the concepts of relevance, necessity and privilege. Indeed, her written submissions before the AR and the Judge demonstrated an appreciation of these concepts. She must also have been aware of the difficulties of her case, such as the broad nature of the categories of documents she sought and that the documents sought were not relevant to her pleaded issues. The Judge's indication that the appeal in RA 320/2013 was dismissed must have meant that he agreed with the AR's reasoning. As stated in *Thong Ah Fat* at [44]:

> … Ordinarily, for an appellate court, it would be sufficient (when it is satisfied with the outcome and adequacy of the reasoning of the lower court) to simply state in affirming the earlier decision that it agrees with the reasons given in support of it. It is not obliged to reprise the reasons or give additional ones in a fresh judgment if it forms the view that this is not necessary. This must be a matter of judgment for the appellate court.

50 Although this case involved a Registrar's Appeal – as opposed to an appeal from the High Court to the Court of Appeal – we find that the same considerations apply. This is because the operative concern, at least in this case, is whether the parties are apprised of the reasons for which they succeeded or failed in their application or appeal. Here, not only was the Appellant conversant with the applicable law, she was furnished with the court's reasons in its application of the law. These reasons came from the AR. Dissatisfied, at least with the verdict, she appealed. The Judge dismissed the appeal, and thereafter denied leave to appeal.

51 Although the Judge neither regurgitated the AR's reasons nor stated explicitly that he concurred with the AR's reasons, it would not require a leap of logic to conclude that he did indeed accept the reasons of the AR in dismissing the appeal. It bears emphasising that the issue before this court (charitably interpreted) is whether written grounds should be issued by the Judge in respect of RA 320/2013 and SUM 5875/2013. The issue is not whether the Judge's decision was correct or wrong. Not only did these interlocutory matters fall beyond the ambit of cases that typically require reasons, the Appellant was in fact furnished with a set of reasons by the AR – reasons that the Judge endorsed. She may not have been satisfied with the verdict, or perhaps even the reasons, but that dissatisfaction would pertain to the merits of *those* proceedings – not that she did not know why the Judge had ruled in the way he did.

Conclusion

52 The Appellant's discovery skirmish came to a close with SUM 5875/2013 and she could have focused her efforts on her main object in S 667/2012. Instead, she chose to expend further resources in instituting these unmeritorious proceedings. Her application was not only too wide in scope in that it purported to pertain to *all* interlocutory decisions; eventually she even exploited it as a platform

upon which she rehashed arguments in relation to the merits of her discovery application. As is evident from our decision, her application resulted in hardly any gain.

53 We reiterate that the spirit behind the court's duty to provide reasons is to enable the parties to be apprised of why and how a decision turned out the way it did. Applications in this regard, such as the Appellant's in OS 699/2014, should not be resorted to for the purposes of reopening the merits of a dispute.

54 For the reasons stated above, we dismissed the appeal. We ordered the Appellant to pay $6,000 in costs (inclusive of disbursements) to the Respondent.

[note: 1] This is at para 10 of the COI's report (Appellant's Core Bundle ("ACB") Vol 2 at p 196).

[note: 2] This is at para 21(c) of the COI's report (ACB Vol 2 at p 200).

[note: 3] ACB Vol 2 at p 212.

[note: 4] ACB Vol 2 at p 215.

[note: 5] ACB Vol 2 at pp 216–217.

[note: 6] ACB Vol 2 at p 226.

[note: 7] ACB Vol 2 at p 200.

[note: 8] The Appellant alleged this was the "catalyst of this litigation" and that if the Research Project were disclosed, it would "enable [her] to demonstrate whether or not [her] concerns about the unauthorized use of [her] thesis as source material [were] justified" (see the Appellant's Affidavit in Summons No 3299 of 2013 dated 28 June 2013 at p 12).

[note: 9] ACB Vol 2 at pp 52–54.

[note: 10] ACB Vol 2 at p 85.

[note: 11] ACB Vol 2 at p 104.

[note: 12] ACB Vol 2 at p 108.

[note: 13] ACB Vol 2 at p 111.

[note: 14] ACB Vol 2 at pp 112–114 and the Supplementary Core Bundle ("SCB") at pp 3–7.

[note: 15] ACB Vol 2 at p 118.

[note: 16] SCB at p 9.

[note: 17] Transcript dated 29 September at pp 2–3.

[note: 18] Minute Sheet dated 27 October 2014.

[note: 19] The Appellant's case dated 19 March 2015 at para 10.

[note: 20] The Appellant's case dated 19 March 2015 at para 15.

[note: 21] The Appellant did not raise this argument before the Judge.

[note: 22] The Appellant's case dated 19 March 2015 at para 17.

[note: 23] The Appellant's case dated 19 March 2015 at para 21.

[note: 24] The Appellant's case dated 19 March 2015 at para 22.

[note: 25] The Appellant's case dated 19 March 2015 at para 24.

[note: 26] The Appellant's case dated 19 March 2015 at para 92.

[note: 27] The Respondent's case dated 20 April 2015 at para 3.

[note: 28] The Respondent's case dated 20 April 2015 at para 33.

[note: 29] The Respondent's case dated 20 April 2015 at para 34.

[note: 30] The Respondent's case dated 20 April 2015 at para 37, citing *Thong Ah Fat* at [30].

[note: 31] The Respondent's case dated 20 April 2015 at paras 51, 57 and 69–78.