



District Court of Queensland
Annual Report 2007 – 2008



**QUEENSLAND
COURTS**

Front cover: Timothy White and Dale Johnson of the Nunukul Yuggera Aboriginal Dance Troupe in the courtyard of the Law Courts Complex on 14 September 2007 performing with others of the troupe during the second annual National Indigenous Legal Conference before conference keynote speaker, former Chief Justice of Australia, Sir Gerard Brennan AC KBE, and other judges and delegates.

(Photograph courtesy of the National Native Title Tribunal.)



**DISTRICT COURT OF
QUEENSLAND**

CHAMBERS OF THE CHIEF JUDGE

30 October 2008

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The Honourable Kerry Shine MP
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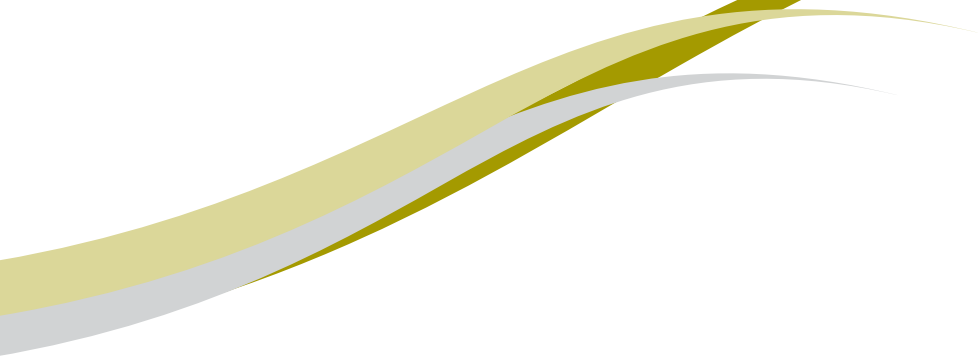
Dear Attorney

Pursuant to s. 130A(1) of the *District Court of Queensland Act 1967*, I enclose my Report on the operation of the District Court of Queensland for the year ended 30 June 2008.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P.M. Wolfe'.


Chief Judge PM Wolfe



WARNING: Aboriginal and Torres Strait Islander peoples are warned that this document may contain images of deceased persons. Due care has been taken to ensure that all images have been used with the appropriate consent.

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Chief Judge's overview



Chief Judge Patricia Wolfe

This, the twelfth annual report of the District Court of Queensland, addresses the organisation, operation and performance of the court in 2007 – 2008.

During the year under report the court made considerable progress implementing a number of initiatives which will enhance the accessibility, and quality, of the court's services to the Queensland community. With continued support from the Attorney-General and the Director-General, as well as ongoing interest and participation from the legal professions, improvements to the manner in which the court delivers justice to Queenslanders will be far reaching.

The court's performance in its several busy jurisdictions is a credit to its judges, many of whom also undertake extra-judicial tasks which aid the administration of the court. I particularly acknowledge the workload undertaken in 2007 – 2008 by judges of the Brisbane Criminal Listing Taskforce, as well as the invaluable assistance of the 13 judges permanently located in seven regional centres who efficiently co-ordinate the lists there. Judges also serve as convenors and members of elected committees with a wide range of responsibilities and interests and thereby contribute, in a collegiate way, to the administration of the court and the improvement of its operations.

Judges of the District Court also constitute ancillary courts and a tribunal, and the court's resources are deployed to a considerable extent in discharging their functions. Judges with special responsibility for these entities during the year under review have prepared reports on their operations: Judge Wilson SC and Judge Rackemann on the Planning and Environment Court, this court's largest adjunct; Judge Dick SC, the President of the Childrens Court

of Queensland on that court; and Judge O'Brien on the Health Practitioners Tribunal.

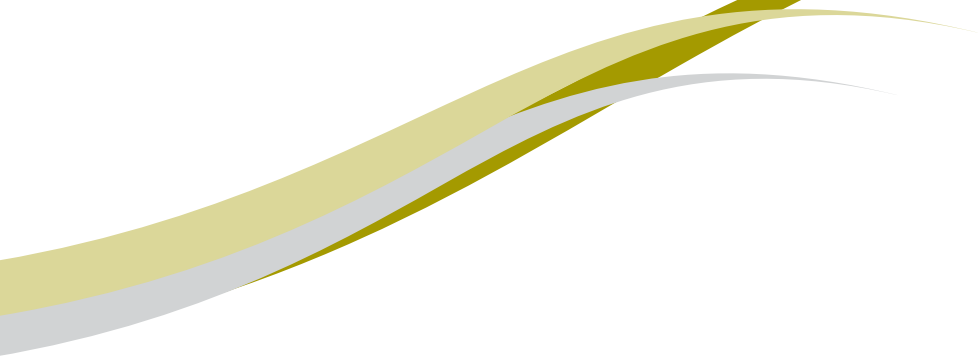
The judges

During the 2007 – 2008 year the court comprised the equivalent of 37 judges.

Depending upon the lists, the court now sits at 47 centres throughout Queensland – Brisbane, the 7 regional centres, 24 other centres where jury trials can be held, and the 15 remote or Aboriginal and Torres Strait Islander communities. (In addition judges of the Planning and Environment Court will sit in remote places, sometimes outside courtrooms, in line with that court's policy of ensuring local communities can participate in – or, at least, see and hear – cases involving local issues.)

The pressure on lists in the District Court and its adjuncts together with demands for judicial involvement in case management has meant that judges now have responsibilities unknown to their predecessors, even 10 years ago. Courts are now expected to manage their lists actively, and take an intrusive role in ensuring cases in all jurisdictions do not languish. This is readily undertaken, of course, in Brisbane and centres with resident judges. Two things are, however, undeniably important: that caseloads in other centres are effectively managed, and that all judges develop and maintain skills in these areas.

The peace and order on which Queensland's social and commercial interaction relies are maintained, to no little extent, because this court operates (and is seen to operate) throughout the State. It follows that a critical part of the administration of the court involves effectively organising its work in a great



many places and, in particular, by visiting judges conducting what have always been called ‘circuits’.

A number of important considerations underpin the arrangement and allocation of circuits. All are considered, with a view to the optimal allocation of judicial resources in ways which will improve the overall functioning of the court and the quality and efficiency of its judges and produce a better service, including consistent decision-making, throughout Queensland.

In practical terms circuits are an impost on the judges, who may spend between 8 and 16 weeks annually away from their home base, for periods of 2 weeks at a time. The important countervailing consideration is that circuits enhance both the delivery of justice, and the quality of judicial work. For visiting judges, circuits allow for exposure to diversity including conditions local to an area. Appreciating this, many judges enjoy circuits. They see the variety of work it can provide, the insights to be gained from shared experience with judges in other centres, and the benefit it brings to communities without a permanent court.

The current mode of allocation of circuit work therefore strives to provide this added intellectual stimulation and challenge, while enhancing shared experience and collegiality. In a court in such a vast State, where the judges meet only once a year, all these things help build and develop an intangible but vital aspect of the court’s continued success – judicial morale.

There are other important considerations. The exercise of judicial power demands impartiality, and the appearance of impartiality. Judges are conscious

of, and alert to, influences that may appear to affect their impartiality. The allocation of circuits in a range of centres to a diversity of judges restricts the risk of the undesirable appearance of partiality. It also allows for a fairer distribution of workload between the experienced and the less experienced judges as well as alleviating, to some extent, problems arising from a shortage of judicial resources due to illness, retirement and the like.

Judges in Brisbane circuit to centres throughout the State, including other regional centres. Similarly, while recognizing that the primary focus of each regional judge is on their own region, the regional judges are not confined to circuits within their regions or districts. Through circuits away from their ‘home base’ regional judges, like Brisbane judges, see how judges elsewhere manage their work, and have the opportunity to respond to a range of demands in ways which can aid and inform management practices at the home centre.

This policy has the added benefit of forestalling any risk of complacency, which the judges recognise can be a product of excessive familiarity with one place (and one group of legal practitioners). With circuit judges visiting the regions and larger circuit centres, complacency in performance by members of local professions is also avoided. Acknowledged risks – of judge-shopping, a judge becoming entrenched or complacent, or a complacent local profession – are forestalled. Both judges and the legal profession are exposed to different techniques and practices, vital for keeping focus and fine tuning skills. Adherence to these principles and the adoption of practical arrangements which reflect them has served the State well for many years.

Performance

The court's performance and workload are reflected in the statistics set out in this report. As in last year's report, the court's performance and workload are reported by statistical information which accords with the method of reporting adopted by the Commonwealth Productivity Commission's Annual Report on Government Services (RoGS).

Performance is indicated by the clearance rate and the backlog indicator. The clearance rate indicates whether a court is keeping up with its workload by comparing the number of lodgments with the number of finalisations. A figure above 100% indicates that the court is reducing its pending workload. The backlog indicator compares the age of pending caseload against nominated time standards.

Disposition of caseload

The court's performance and workload in 2007 – 2008 has been creditable, but the statistics demonstrate that an insufficiency of judicial resources puts the court under a measure of stress.

As an example, from 27 July 2007 Judge Robin QC presided over *R v Landfix Pty Ltd & Ors*, a 13 week jury trial involving charges of causing serious environmental harm against two company directors. Prior to the trial the judge had determined many issues in pre-trial hearings¹. All involved anticipated that the trial would take less than 4 weeks. Accordingly a number of matters in the planning jurisdiction were set down for the judge in September. By then, with no other judge available for the planning matters, Judge Robin QC proceeded

to hear them anyway, rather than adjourning the hearings to a later date. While presiding over the *Landfix* trial, he also sat for long periods hearing the planning matters during the hours that the *Landfix* jury was not in court. In this way *Tanby Gardens Pty Ltd v Livingstone Shire Council & Ors*², with its hearing spread over 7 days in September and October and *Fieldray Pty Ltd v Gold Coast City Council & Ors*³, spread over five days in September, were also determined.

Disposition of criminal caseload

In the criminal jurisdiction, the workload is measured by the number of defendants⁴.

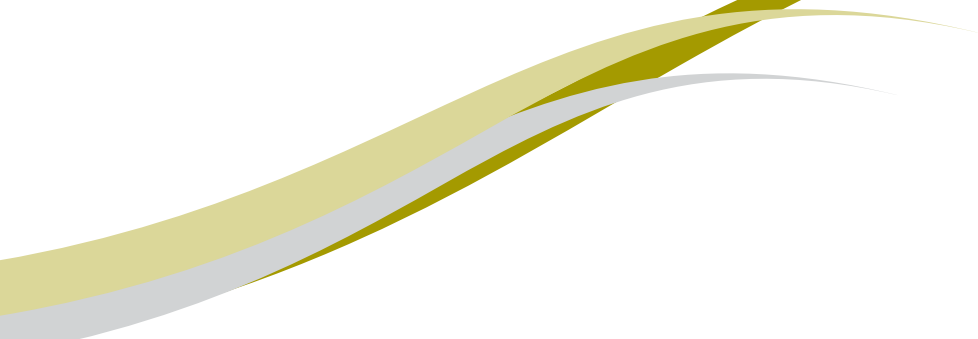
In 2007 – 2008 Brisbane carried about 40% of the criminal workload, the seven regional centres about 44%, and the remaining 16% was dispersed among the 23 jury circuit centres. The figures for a remote community are included in those of the regional or circuit centre closest to it. Most of the longer cases were heard in Brisbane. The Criminal Listing Taskforce, in particular Judge Shanahan and Judge Dick, managed the Brisbane 2007 – 2008 criminal caseload with me. The list was continuously refined and manipulated with the co-operation of the Director of Public Prosecutions so that parties, and witnesses, did not wait longer than necessary for a matter to be heard. In a similar fashion, the regional judges also case-managed their lists.

¹ Criminal Code, s590AA

² [2007] QPEC 97

³ [2007] QPEC 98

⁴ A "defendant" for these purposes is defined as "one defendant, with one or more charges and with all charges having the same date of registration": Review of Government Service Provision: 2007 Data Collection Manual – Court Administration Working Group, 08/08/07 p 7-3. Defendants with secondary charges such as breaches of court orders are excluded.



Criminal lodgments increased slightly in 2007 – 2008, from 6577 last year to 6606 this year (an increase of 29 or 0.44%). In Brisbane the increase was 6.6% with 2578 new criminal matters, from 2418 last year (up 160).

The court's finalisations increased from 6,393 matters last year to 6,836 in 2007 – 2008, an increase of 443 or 6.9%. In Brisbane, 2682 matters were finalised, compared with 2351 last year, an increase of 331 or 14%.

The court's clearance rate was 103.5%, a marked improvement on the 2006 – 2007 clearance rate of 97.2%. In Brisbane, the clearance rate was 104%, also up from 97.2%. The clearance rates in some of the regional centres were also impressive – Cairns, with 112.4%, Beenleigh with 112.3% Rockhampton with 107.2% and Maroochydore with 100.6%.

The backlog has decreased by 7.8%. As at 30 June 2008 there were 2123 active pending matters, compared with 2303 in 2006 – 2007. In Brisbane, the backlog decreased by 7.7%, with 929 pending matters at the end of 2007 – 2008 compared with 1006 at 30 June 2007.

The number of active cases in the court that are older than 12 months and less than 24 months has decreased from 268 in 2006 – 2007 to 238 (a decrease of 11.2%). The number of active cases older than 24 months has increased by 13.3% or 179 compared with 158 in 2006 – 2007.

In Brisbane, the number of active cases older than 12 months and less than 24 months has decreased by 19.7% from 122 in 2006 – 2007 to 98. The number of active cases older than 24 months increased by 17.7% from 79 in 2006 – 2007 to 93. This is a result of the increasing complexity of some matters and the volume of the criminal

workload combined with the amount of judicial resources available to deal with that workload. Other obstacles to the timely progression of criminal matters include defendants awaiting psychiatric reports in order to consider an application to the Mental Health Court, those awaiting reports for sentencing and those sentences that must be deferred to await the committal of other charges to which a defendant also intends to plead guilty.

These statistics do not include pre-trial hearings, pre-recordings of affected child witnesses' evidence or the Childrens Court workload. Nor do they include those defendants who were dealt with for breaches of court orders, such as suspended sentences.

Affected child witnesses

The statistics do not account for time involved in the pre-recordings of the evidence of affected child witnesses. Many children are required to give evidence in matters involving charges of sexual or violence offences. However their evidence must be pre-recorded from a remote witness room soon after the indictment is presented, and care is taken to ensure that all pre-trial hearings are completed before that occurs. In the major cities, the pre-recording usually takes place within 6 weeks of the presentation of the indictment. The child's evidence is then played to the jury at the trial which usually takes place some months after the pre-recording.

To preserve their integrity and security, all videotapes, no matter where recorded in Queensland, are kept by the Principal Registry in Brisbane. The Brisbane registry is also responsible for the copying, editing and delivery of all videotapes, no matter where the trial is to be held.

In the year under review, the court ordered the pre-recording of the evidence of at least 400 affected child witnesses throughout Queensland. Of those ordered, approximately 40% were not required to give evidence as prior to the pre-recording date, the defendant decided to plead guilty, or the prosecution nolle'd the indictment.

The Court Technology Group, under the direction of Mr Bruce Hubert, has effected far-reaching changes with the gradual replacement of analogue systems with digital systems, so that the Brisbane registry can now convert a videotape to DVD for ease of editing, and better preservation and storage. As a result, despite urgent orders for editing, trials have proceeded in far-flung centres, with the Brisbane registry transmitting the edited recording directly to a courtroom in the other centre.

Digital recording is expected to be in place in all courtrooms by the end of 2009.

Disposition of civil and planning caseload

Civil

Brisbane carries about 56% of the civil workload, the 7 regional centres about 35%, and the remaining 9% is dispersed among the circuit centres.

Civil lodgments decreased slightly in 2007 – 2008, from 4890 last year to 4,849 this year (a decrease of 41 or 0.84%). In Brisbane the decrease was 6.6% with 2739 new civil matters, down from 2771 last year (32 or 1.2%).

Finalisations decreased with 4715 matters finalised this year, down from 6034 last year, a decrease of 1319 or 22%. In Brisbane where most of the long or more complex trials are held, 2715 matters were

finalised in 2007 – 2008, compared with 3646 last year, a decrease of 931 or 26%.

The civil clearance rate was 97.24%, down from the 2006 – 2007 clearance rate of 123.4%. In Brisbane the clearance rate was 99.12% down from 131.6% last year.

Although the clearance rates are well below those of the previous year when the backlog was reduced considerably, timeliness has improved somewhat. The backlog has further decreased by 148 cases or 3.3%; at 30 June 2007 there were 4526 active pending matters compared with 4378 this year. In Brisbane the backlog increased by 16 or 0.7%, with 2298 this year compared with 2282 last year.

The number of active cases older than 12 months and less than 24 months has decreased from 869 in 2006 – 2007 to 767, a decrease of 11.7%. The number of active cases older than 24 months has decreased from 328 in 2006 – 2007 to 213 this year, a decrease of 35%.

In Brisbane, the number of active cases older than 12 months and less than 24 months has decreased from 443 in 2006 – 2007 to 283, a decrease of 13.5%. The number of active cases older than 24 months also decreased from 169 in 2006 – 2007 to 126 (a decrease of 25%).

These statistics do not include appeals to the District Court or the matters dealt with by the judges sitting in the Planning and Environment Court or the Health Practitioners Tribunal.

Appeals

The District Court hears all appeals from the Magistrates Courts, the Commercial and Consumer Tribunal and other tribunals and statutory bodies. During the year, the court disposed of 316 criminal appeals (294 last year) with a clearance rate of 93% (75% last year). As at 30 June 2008, 311 criminal appeals awaited disposition, 48 fewer than last year. Of them 34.08% older than 12 months (20.3% last year) and 3.22% older than 24 months (1.4% last year).

The court also disposed of 76 civil appeals (84 last year), with a clearance rate of 78.4% (85.7% last year). Of the 110 appeals active at the end of the year, 29.9% of them were older than 12 months (21.5% last year) and 3.6% older than 24 months (last year, none).

Planning and Environment Court

The Planning and Environment Court is structured as a de facto division of the District Court, with a strong emphasis on judicial case management and also alternative dispute resolution. Overall, 782 new cases were lodged, and the court disposed of 772, with a clearance rate of 98.72%. Of these 557 were lodged in Brisbane, where 517 were determined (507 last year) with a clearance rate of 92.82% (last year, 93.4%).

Outside Brisbane, Maroochydore was the busiest centre, with 63 new matters, 100 cases finalised, leaving 63 active files; followed by Cairns (49 new matters, 60 finalised, 55 active); Southport (39 new matters, 37 finalised, 37 active) and Townsville (30 new matters, 40 finalised, 18 active).

The appointment of the first Planning and Environment Court ADR Registrar, Ms Peta Stilgoe, in March 2007 allowed the court to offer mediation,

at no cost to the parties. Her appointment resulted in the resolution of disputes at lower cost to the community and litigants. During 2007 – 2008 the ADR Registrar conducted 103 mediations, with 51 of the appeals that had been referred to mediation settling at or shortly after mediation. Two of those appeals were withdrawn after mediation. The court also provides, through the ADR Registrar, assistance to self-represented litigants and the supervision of court-ordered meetings of experts, thus promoting the resolution of technical issues prior to the hearing.

Childrens Court of Queensland

Judge Dick SC is the president of the Childrens Court of Queensland. There are 23 other judges of the court who also hold commissions under the Act. The Childrens Court is a specialist jurisdiction established under the *Children's Court Act 1992*.

The number of judges holding commissions under the Act has contributed to the efficiency and productivity of the Childrens Court. The administration of this court is closely intertwined with the District Court's criminal lists. Where a child and an adult are charged as co-defendants, the matter is heard in the District Court, and if possible the matter is set down before a judge who also holds a Childrens Court commission.

A separate annual report of the Childrens Court of Queensland is prepared under the *Children's Court Act* and further details of the Childrens Court can be found in that report.

Health Practitioners Tribunal

All District Court judges are members of this Tribunal. It hears appeals from health professional disciplinary tribunals. Judge O'Brien had responsibility for the day to day management of the lists. During the year under review, the tribunal

disposed of 30 matters (28 in 2006 – 2007). The number of new matters lodged fell by 40 %, from 43 in 2006 – 2007 to 26 in the year under review.

Regional centres

The lists in the regional centres of Cairns, Townsville, Rockhampton, Maroochydore, Southport, Ipswich and Beenleigh have been well maintained by the 13 regional judges based in those centres.

Circuits

Through its circuit load, the court is accessible to those in remote, rural and regional Queensland so that matters can be heard and decided in a timely fashion no matter in what part of the State the matter arises. The number of circuits was slightly increased for the 2008 calendar year to accommodate the needs of all centres.

Indigenous and remote circuits

The judges, as in previous years, visited the remote Aboriginal and Islander communities on circuit. Judges on the Gulf circuit sat in Mornington Island, Doomadgee and Normanton and those on the Cape circuit in Weipa/Napranum, Aurukun, Pormpuraaw, Lockhart River and Kowanyama. Judges also sat at Thursday Island, Bamaga, Yarrabah and Murgon.

The lack of Indigenous interpreters for the remote communities, especially Aurukun, has been addressed by the Department's investigating a pilot programme for accrediting interpreters in Cape York. The National Accreditation Authority for Translators and Interpreters (NAATI) will develop and deliver accredited training to participants who speak Wik Munkan language. On 29 April 2008 NAATI's Dr Michael Cooke, an expert in the area of Indigenous interpreter training and accreditation, briefed Judge Shanahan and others of the judges'

ATSI committee on the proposal and has further consulted with them.

Judge Bradley is a member of the National Judicial College of Australia's Indigenous Justice Committee. On 20 May 2008, Judge Shanahan represented the judges at the Queensland National Judicial Conference of Australia committee meeting for indigenous justice issues which has formulated a training course on indigenous cultural practices for judicial officers.

Courthouses

The Supreme and District Courthouse, Brisbane

In its June budget, the Government allocated \$236.2 million towards the construction of the \$600 million new metropolitan Supreme and District Court building in Brisbane. This ensures that Queensland will lead the common law world in providing appropriate support and accommodation for children who are involved in the more serious aspects of the justice system, whether as witnesses, supporters or parties. Architectus' design for this glass sheathed courthouse of 19 storeys and 47 courtrooms emphasises the transparency of the justice process. The public spaces and courtrooms will be uncramped, calm in character and filled with natural light. The courthouse forecourt, a significant grassed plaza, will give the capital a major new public civic square. The Attorney-General and the Director-General are to be commended for their assistance in actively progressing this important Queensland landmark.

Dual Registries

Problems highlighted in the reports over a number of years arising from the dual registry system in some major centres have been alleviated through the Director-General's vision in restructuring the Magistrates Courts service. The authority and guidance of the Director of Courts, Supreme and District Courts in registry matters pertaining to this court, no matter where the court operates in the State, has now received practical recognition and support.

The registry is integral to the court's core function. In Southport, Maroochydore, Ipswich and Beenleigh resources and staff are shared between the District Court and Magistrates Court registries, with both courts staffed by officers seconded from the Magistrates Courts' service. There were particular problems when a Registrar sat as an Acting Magistrate or was seconded to another acting position, as in those places the Magistrates Court registrar performs the role of the District Court registrar, Childrens Court registrar and Planning and Environment Court registrar for that centre. In some centres the District Court registry is physically located within the Magistrates Court registry, and this has led to confusion and injustice. The Magistrates Courts area managers now report to the Director of Courts, Supreme and District Courts, in matters that pertain to the District Court.

Ipswich Courthouse

Fortunately a physically separate District Court registry will be provided in the new \$92 million Ipswich Courthouse currently well under construction. The courthouse is nearing completion and will have four courtrooms for the District Court to cater for one of the largest criminal workloads in

the State. It will be the first Queensland courthouse to provide separate, secure passages for jurors within the building.

Townsville Courthouse

The Government has committed \$750,000 for the design development of the Townsville courthouse, as a result of a study commissioned to assess the feasibility of refurbishing and extending the two buildings which house the Supreme and District Courts and the Magistrates Courts. The Director-General is to be commended for her assurance that the District Court registry is not to be combined or contiguous with the Magistrates Court registry.

Southport Courthouse

After years of inefficient air-conditioning in this courthouse, the problems have been identified at the behest of the Director-General. Accordingly during 2007 – 2008 systematic investigation by the Department resulted in the replacement of some chillers together with a framework of measures to improve the air-conditioning, so that conditions now are generally more than tolerable. Intensive investigations and work was also undertaken to initiate the eradication of the building's mould problem.

Chief Judge's calendar

This year, as in previous years, I sat in the various jurisdictions of the court, both in and out of Brisbane: the criminal court (21 weeks), civil and applications (8 weeks) as well as circuits in Cairns, Maroochydore and Southport. Aside from monthly judges' meetings, meetings of the judges' committees and the Supreme Court Library Committee, conferences and public events, I met regularly with the Chief Justice, the Attorney-

General, the Director-General of the Department of Justice and Attorney-General and senior officers of the department, directors-general and officers of other departments, the Director of Courts and her deputies, the Sheriff, listings managers and Courts Information Technology staff.

During the year I also met with the leaders and representatives of the many organisations principally involved in the justice system, such as the Queensland Bar Association, the Queensland Law Society, the Director of Public Prosecutions, the Public Defender, Legal Aid Queensland, the Queensland Public Interest Law Clearing House (QPILCH), Court Network for Humanity, and Protect All Children Today (PACT). I attended meetings of the Council of Chief Judges and many other groups, projects and meetings involved in the organisation of the District Court and of the Supreme and District Courts registries, such as the Integrated Justice Information Strategy and the Courts Visual Identity Committee as well as meetings of the judges' building committee with representatives of the architects, the builders and the departments concerned relating to the Brisbane Supreme and District Courts metropolitan courthouse.

Practice directions

During the year, three Practice Directions were issued. Cost Assessment: Interim Arrangements (05/2007); Private Audio-recording of Proceedings: District Court (06/2007) and Taking evidence by telephone and video-link (01/2008).

New legislation

The *District Court of Queensland Act 1967* was amended on 11 June 2007 by the *Justice and Other Information Disclosure Act 2008* to provide for the

position of Judge Administrator in order to assist the Chief Judge in the administration of the court.

At the time of writing, Judge O'Brien had become the Judge Administrator having been sworn in on 15 September 2008.

The Focus Group

The Focus Group, chaired by the Senior Judge Administrator and comprising the Chief Justice, the President of the Court of Appeal, the Chief Judge, the Chief Magistrate and the Deputy Director-General, met with the Director of Courts, Supreme and District Courts and other senior officers throughout the year. Its purpose is to keep the courts informed about actual and proposed departmental initiatives for the three State courts, to provide an opportunity for the courts to participate in the allocation of resources, and to ensure the regular monitoring of the courts' registry and administrative operations.

Rules Committee

The Rules Committee, chaired by Mr Justice Muir, includes, from the Supreme Court, the Chief Justice, Justice Wilson and Justice Dutney, from the District Court, Judge Robin QC and Judge McGill SC and from the Magistrates Courts, Magistrate Morgan and Magistrate Wessling. The committee met at least weekly out of ordinary court hours with the Director of Courts also attending.

Benchbook

The Supreme and District Courts Benchbook provides model directions for the judges conducting criminal trials, specifically designed to apply the *Criminal Code*, which in significant respects differs from the common law applied in some other States. It is a work of collegiate endeavour with Justice Jerrard, Justice Philippides, Judge Shanahan and Judge Dick SC, the members of the committee, working over extended periods updating and adding to this essential and important work.

The registry

The reorganisation of the registry's management structure to streamline the registry's operations has been essential to ensure the efficient operation of the court.

Future Courts Program

Since July 2007, the Future Courts Program that was adopted by the registry with the judges' concurrence, has brought about extensive improvements. It is supported by the court's Information Management directorate. This programme is developing a single case management system for all three Queensland courts. The registry is reviewing and improving its processes to ensure that uniform processes, capable of application across Queensland, can be developed and implemented. The benefits of the programme are far-reaching:

- CIMSLite has enhanced the troublesome CIMS (Civil Information Management System). CIMSLite is a simple, web-based programme that can be used in all District Court registries throughout the State. All civil files are now managed through these programmes.

- All civil files may be searched on-line by accessing *eSearch* on the court's website. During the year under report more than 780,000 searches were conducted this way (an increase of 64% from 2006 – 2007).
- There have been improvements in the management and quality of statistical information maintained and published by the court.
- *eCourtrooms* has been developed. It allows parties in civil matters to manage and present evidence electronically so that the judge, the witnesses and the parties can view the evidence at the same time. It can be installed in any District Court courtroom within hours. *eCourtrooms* will be used for selected matters in the court's civil jurisdiction and in the planning jurisdiction in 2008 – 2009.

With the new performance management and reporting framework, and the implementation of an electronic document and records management system, the registry is delivering a more responsive and consistent service.

Queensland Courts Communications

The QCC was developed in 2007 – 2008 to enhance the communications activities of all Queensland Courts. During this period, a contemporary visual identity to be used in all publications and correspondence in each of the three courts was developed for use in court signage and stationery. Under the direction of Lucretia Ackfield of the unit, the court's visual image was revitalized.

Website (www.courts.qld.gov.au)

The courts' website underwent QCC's redevelopment and was re-launched in December 2007. More than 227,000 people visited the website in the six months to June 2008. Written in plain English,

it provides easy access to legislation and other information about court processes, particularly for jurors and self-represented litigants.

QSI

The Queensland Sentencing Information Service, available to all Queensland judges and magistrates, the Office of the Director of Public Prosecutions and Legal Aid Queensland, has proved a valuable aid in achieving consistency in sentencing. It is now available, free of charge, to more than 100 other entities, including sole practitioners and law firms. The electronic sentencing database contains legislation, case law, statistical information and other relevant resources for research of sentencing matters.

Wi-Fi

The profession has access to the internet, from all courtrooms in the Law Courts Complex and the library as well as in other major courthouses, through the courts' Wi-Fi (wireless fidelity) service. Consequently practitioners appearing in the courtrooms are in real-time contact with colleagues elsewhere, without any disruption to the proceedings.

Access to the court

The *accessCourts* initiative was firmly established throughout the year to assist court users, including litigants, witnesses, their families and other supporters, as well as members of the public. It involves two volunteer services and a registry service that were further developed or implemented during the year. The services are:

Court Network For Humanity

The Court Network, a volunteer service, has operated in the Law Courts Complex since December 2007, giving support and information to court-users attending at the court, whether as litigants or witnesses or their families and supporters. There are now 21 Court Angels as they are familiarly known to the judges, operating inside the courtrooms or elsewhere in the courthouse. In 2007 – 2008, the trained volunteers shepherded more than 3000 litigants, witnesses and their supporters through the Law Courts Complex. The volunteers support court-users in the courtroom during the proceedings, as well as familiarising them around the courthouse. They also provide court-users with a safe place in the courthouse and refer them to those community services or charities that can provide relevant assistance. The volunteers receive extensive training and supervision but they do not give legal advice.

Queensland Public Law Clearing House

Since December last year the Queensland Public Law Clearing House (QPILCH) has provided the Self-representation Civil Law Service in the Law Courts Complex. The service assists litigants in person prepare for a civil action in the District or the Supreme Court. Completely independent of the courts and government, the service is designed to assist litigants without legal representation take the practical steps necessary to have their case fully heard and determined.

Self-represented Litigants Service

The Self-represented Litigants Service also began in December 2007. It is to be found on the ground floor of the Law Courts Complex and is operated by staff from the court's civil registry who also provide advice of a non-legal nature. The service is designed to assist and support those litigants appearing in person in civil matters and provides both private meeting rooms in which to prepare for court as well as computer and printing access.

Continuing professional development

The judges gained professionally through their participation and contribution to legal and professionally oriented conferences, meetings and discussions with other jurisdictions during the year.

The judges' 13th annual conference, at Marcoola from 12 – 14 August 2007, allowed the rare opportunity for the judges, 13 of whom were based outside Brisbane, to meet as a body for professional discussion. Presenters at the conference included Professor Neil Brewer (*Eyewitness identification*), Ms Jane Douglas and Mr Mike Anthony (*Essentials for career performance and longevity*), Justice Geoff Eames of the Victorian Court of Appeal (*Communicating with jurors*), the Director-General of the Department of Justice and Attorney-General, Mr. Jim McGowan (*Departmental support for the courts*), Dr. Aidan Foy (*Collegiate support systems*) and Queensland Bar Association president, Mr Glenn Martin SC (*Ethics*).

During 2007 – 2008, Judge Rafter SC, Judge Martin SC, and Judge Searles attended the National Judicial College of Australia (NJCA) judicial orientation programme in Sydney; Judge Botting, Judge Rackemann, Judge Dearden and Judge Koppenol

attended the NJCA Phoenix Judges' programme in Canberra, and Judge Brabazon QC and Judge Tutt attended the NJCA Judgment Writing Workshop in Adelaide.

Many of the judges presided over moots, and spoke or presented papers at many important professional meetings and conferences, details of which appear in this report. Senior Judge Skoien, representing the judges of the District and County Courts, served as a member of the Council of the National Judicial College of Australia. In February 2008 Judge Shanahan replaced Senior Judge Skoien as the court's representative on the Governing Council of the Judicial Conference of Australia. Judge Rafter SC assisted the Australian Bar Association Advocacy Training Council. Judge Griffin SC and Judge Rafter SC led sessions at the International Crime Cooperation Workshop held for officers from South Pacific nations under the auspices of the Commonwealth Attorney-General's Department. Judge Bradley served as a member of the National Judicial College of Australia's Indigenous Justice Committee. Judge Shanahan, as the court's member of the Judicial Liaison Unit, was consulted about the development of pre-sentence reports by the Department of Corrective Services. Judge Forde and Judge Shanahan are members of the State-wide Community Justice Reference nominate. Judge Shanahan and Justice Wilson constituted the joint courts' committee on interpreters in the courts. Judge Wilson SC and Judge Griffin SC with Justice Wilson, Justice P McMurdo and me, worked on the Judges' Metropolitan Supreme and District Court Building Committee. Judge Rafter SC with Justice Lyons constituted the Judges' Learning and Development Committee.

The court and the public

The inaugural Law Week Open Day at the Law Courts Complex on Saturday, 10 May 2008, provided an opportunity to raise the profile of the courts in the community. Two mock trials were held in the Banco Court – that of Snow White’s stepmother (over which Justice Wilson presided) and that of Robin Hood (the Chief Judge presiding). QPILCH held two seminars to assist those members of the public who wish to represent themselves in civil matters and Court Network volunteers, with Supreme Court Library and registry staff, were also on hand to provide information.

International aspects

The Pacific Judicial Development Programme (PJDP) supports 15 Pacific Island nations to enhance the professional competence of judicial and court officers, and the processes and systems that they use. In June 2008, Judge Dick SC under the auspices of that programme undertook, in Tonga, the Judicial Officers Benchbook Project for Tonga. Consulting with Tonga’s magistrates and court officers, she produced the revised and updated benchbook for Tonga’s magistrates.

During the year under report, the District Court at Brisbane received a number of international visitors, including:

- On 30 October 2007, a delegation of judges from various intermediate courts in Taiwan led by Her Excellency, President and Chief Judge Kuang-Hsia Hui of the Taiwan Pingtung District Court.
- On 21 November 2007, a delegation of Chinese judges from the High Court of Guangdong Province.

- On 5 March 2008, a delegation of judges from the Intermediate Court of Shenyang, Liaoning Province in China.

Judicial retirements

On 14 July 2007 Judge Neil Ferguson McLauchlan QC who was appointed to the District Court on 6 November 1989, retired.

On 25 February 2008 Judge Garry Spencer Forno QC who was appointed to the District Court on 18 February 1988, retired.

On 24 April 2008 Judge Philip Grahame Nase who was appointed to the District Court on 12 August 1993, retired.

On 31 May 2008 Judge Peter James White, who was appointed to the District Court on 28 August 1992, retired.

Judicial appointments

On 17 July 2007, Judge Terence Douglas Martin SC was sworn in as a Judge of the District Court.

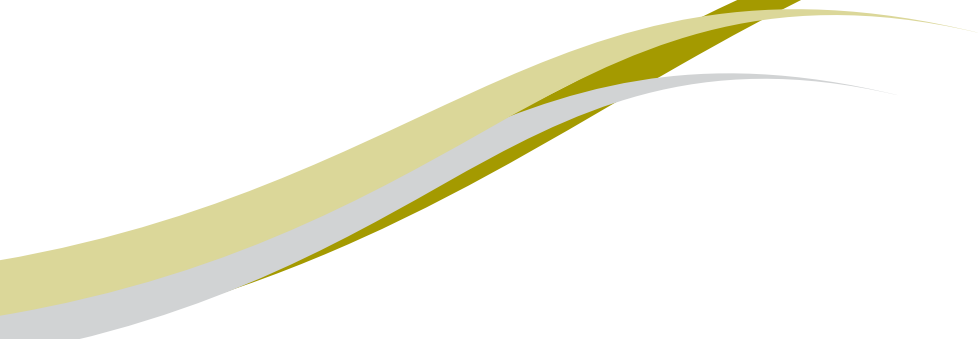
On 17 July 2007, Judge David Graham Searles was sworn in as a Judge of the District Court.

On 26 September 2007, Judge Gregory John Koppenol was sworn in as a Judge of the District Court.

On 2 April 2008, Judge David Charles Andrews SC was sworn in as a Judge of the District Court.

On 2 April 2008, Judge Leanne Joy Clare SC was sworn in as a Judge of the District Court.

On 2 April 2008, Judge William Garth Everson was sworn in as a Judge of the District Court.



Senior Judge Nelson Anthony Skoien was appointed an Acting Justice of the Supreme Court of Queensland from 7 February 2008 until 6 August 2008.

Personal

On 29 October 2007 the Chief of the Australian Defence Force, Air Chief Marshall Angus Houston AC AFC, under regs 69 and 70 of the Defence (Inquiry) Regulations 1985, appointed Judge Durward SC as the CDF Inquiry Officer to prepare an investigative report into the combat deaths of two Australian soldiers in Afghanistan. As the Inquiry Officer, the judge was deployed to Iraq and Afghanistan in the course of his service as a Lieutenant Colonel in the Australian Defence Force Reserve.

Conclusion

I thank the judges, officers of the registry and the court's administrative staff for their effective collegiate effort and another year's hard work. Much was achieved with the unstinting support, for the court's work, of the Director-General, Ms Julie Grantham, and for which I am most grateful. I also acknowledge the expert assistance of the Director of Courts, Ms Robyn Hill.



**Profile of the
District Court**

Judges of the District Court

During the year under report the judges were:

Chief Judge

Her Honour Chief Judge Patricia Mary Wolfe

Judges

His Honour Senior Judge Nelson Anthony Skoien

His Honour Senior Judge Gilbert Trafford-Walker

His Honour Judge Warren Howell

His Honour Judge Keith Stuart Dodds (Maroochydore)

His Honour Judge Garry Spencer Forno QC (retired 25 February 2008)

His Honour Judge Hugh Wilfrid Harry Botting

His Honour Judge Michael John Noud

His Honour Judge Kerry John O'Brien

His Honour Judge Neil Ferguson McLauchlan QC (retired 14 July 2007)

His Honour Judge Philip David Robin QC

His Honour Judge John Elwell Newton (Southport)

Her Honour Judge Helen O'Sullivan

His Honour Judge Peter James White (Cairns) (retired 31 May 2008)

His Honour Judge Philip Grahame Nase (retired 24 April 2008)

His Honour Judge John Mervyn Robertson (Maroochydore)

His Honour Judge Michael William Forde

His Honour Judge Charles James Lennox Brabazon QC

His Honour Judge Douglas John McGill SC

His Honour Judge Clive Frederick Wall RFD QC (Southport)

His Honour Judge Robert Douglas Pack (Townsville)

His Honour Judge Nicholas Samios

His Honour Judge Grant Thomas Britton SC (Rockhampton)

Her Honour Judge Deborah Richards (Ipswich)

Her Honour Judge Sarah Bradley (Cairns)

His Honour Judge Michael John Shanahan

Her Honour Judge Julie Maree Dick SC

His Honour Judge Alan Muir Wilson SC

His Honour Judge Marshall Philip Irwin*

His Honour Judge Michael Edward Rackemann

His Honour Judge Walter Henry Tutt

His Honour Judge Milton James Griffin SC

Her Honour Judge Julie Ann Ryrie
His Honour Judge Ian Francis Macrae Dearden (Beenleigh)
Her Honour Judge Fleur Yvette Kingham (Southport)
His Honour Judge Stuart Gordon Durward SC (Townsville)
His Honour Judge Anthony John Rafter SC
His Honour Judge Terence Douglas Martin SC (appointed 13 July 2007)
His Honour Judge David Graham Searles (appointed 13 July 2007)
His Honour Judge Gregory John Koppenol (appointed 21 September 2007)
His Honour Judge David Charles Andrews SC (appointed 2 April 2008)
Her Honour Judge Leanne Joy Clare SC (appointed 2 April 2008)
His Honour Judge William Garth Everson (Cairns) (appointed 2 April 2008)

*Judge Irwin could not perform any of the duties or exercise any powers of a District Court judge as he held the office of Chief Magistrate: s. 11 of the *Magistrates Act 1991*.



Judges of the District Court.

Regional, planning and childrens judges

During the year under report the following judges were allocated to the regional centres as shown:

Maroochydore:	Judge Dodds and Judge Robertson
Cairns:	Judge White, Judge Bradley and Judge Everson
Southport:	Judge Newton, Judge Wall QC and Judge Kingham
Townsville:	Judge Pack and Judge Durward SC
Rockhampton:	Judge Britton SC
Ipswich:	Judge Richards and Judge Koppenol
Beenleigh:	Judge Dearden

Planning and Environment Court

The Planning and Environment Court judges for 2007 – 2008 are listed below:

Chief Judge Wolfe
Senior Judge Skoien
Judge Dodds
Judge McLauchlan QC
Judge Robin QC
Judge White
Judge Nase
Judge Robertson
Judge Brabazon QC
Judge Wall QC
Judge Pack
Judge Britton SC
Judge Wilson SC
Judge Rackemann
Judge Griffin SC
Judge Kingham
Judge Durward SC
Judge Rafter SC
Judge Martin SC
Judge Searles
Judge Andrews SC
Judge Everson

Childrens Court

The Childrens Court judges for 2007 – 2008 are listed below:

Judge Dick SC – President
Senior Judge Trafford-Walker
Judge O'Brien
Judge Newton
Judge White
Judge Nase
Judge Robertson
Judge Wall QC
Judge Pack
Judge Samios
Judge Britton SC
Judge Richards
Judge Bradley
Judge Shanahan
Judge Wilson SC
Judge Tutt
Judge Griffin SC
Judge Dearden
Judge Kingham
Judge Durward SC
Judge Rafter SC
Judge Martin SC
Judge Clare SC
Judge Everson

The court's administrative staff

The administrative and registry staff of the District Court are essential to its operation in the performance of its functions. Those exercising supervisory roles or who work more closely with the Judges in Brisbane and major centres are set out below:

Director of Courts	Robyn A Hill
Deputy Director of Courts	Julie Steel
Director, State Reporting Bureau and Courts Corporate Services	Stephanie Attard
Manager, Judicial & Client Support	Cameron Woods
Sheriff of Queensland	Neil Hansen
Registrar (Cairns)	Wendy Baden
Registrar (Townsville)	Robyn Wegner
Registrar (Rockhampton)	Ben Cooke
Information Technology Manager	Ashley Hill
Deputy Registrars	Renae Wilson (Criminal registry)
	Susie Faulkner (Appeals and HPT)
	Leanne McDonnell (Applications)
	Jo Stonebridge (Common Law)
Chief Judge's Executive Assistants	Jan Daniels and Maryanne Nottingham
Chief Bailiff	Mark Slaven
Deputy Chief Bailiff	Michael Hinge
Listings Co-ordinator	Angela Karageozis
Criminal List Manager	Stephen Till
Assistant Criminal List Manager	Marko Knezevic/Matt Crosby
Childrens Court List Manager	Bronwyn Green/Tara Kennedy
Civil and Applications List Manager	Jessica Cole/Sharon Cross
Planning and Environment List Manager	Brett Gillespie
Judges' Secretariat	Jennifer Samiec
	Fiona Pepper
	Nicole Gallant
	Jennifer Browning

The staff listed above are assisted by other registry and court administration staff, and bailiffs.



The courts

The work of the District Court

The work of the District Court is the hearing and determination of appeals and the conduct, trial and determination of matters commenced by indictment (criminal), claim (civil) or originating applications (civil). It also includes the determination of interlocutory applications, that is, applications in pending matters, whether commenced by claim, originating application or on indictment. The Chief Judge is responsible for the administration of the court.

The District Court is the largest trial court in Queensland. It is the principal court in Queensland for the trial of persons charged with serious criminal offences. It deals with almost 80% of all criminal matters which are prosecuted on indictment. The court exercises equitable and other jurisdiction within its civil monetary limit. Criminal trials are heard by a judge with a jury. Civil matters are normally heard by a single judge. The judges have adopted a protocol that, save in exceptional cases, judgments are to be delivered within three months of the conclusion of the hearing.

The District Court hears all appeals from the Magistrates Courts as well as from decisions of a number of tribunals and other statutory bodies. Many of the judges are also appointed to the Planning and Environment Court and to the Childrens Court of Queensland, and are members of the Health Practitioners Tribunal.

Many of the judges also serve on committees with responsibility for developing and implementing policies and procedures for the continual improvement of the functioning of the courts. These include the Supreme and District Courts' Benchbook Committee, the Supreme and District Courthouse Building Committee, the Learning and Development

Committee and the Rules Committee, as well as on the judges' committees.

Organisation of work

The work of the District Court judges is organised in terms of the following categories:

Appellate

This court hears and determines all appeals from the Magistrates Courts as well as from various tribunals and other statutory bodies, such as professional disciplinary bodies (the relevant professions include teachers and nurses) as well as appeals under the *Children Services Tribunal Act 2000* and several other Acts.

The District Court hears appeals from the Commercial and Consumer Tribunal. This tribunal's jurisdiction includes the hearing or review of decisions concerning liquor licences or permits under the *Liquor Act 1992*, building disputes under the *Queensland Building Services Authority Act 1991*, disciplinary matters under the *Professional Engineers Act 2002* and the *Property Agents and Motor Dealers Act 2000* and disputes under the *Body Corporate and Community Management Act 1997*; *Domestic Building Contracts Act 2000* and the *Lotteries Act 1997*.

Civil

The court has an extensive general jurisdiction enabling it to deal with all personal claims and any equitable claim or demand up to the monetary limit of \$250,000; any claim (without monetary limit) referred to the court by the Supreme Court for assessment; any claim where the parties consent to increase the monetary jurisdiction of the court; actions to enforce by delivery of possession any mortgage; actions to grant

relief from mistake and for rectification; actions seeking declarations and consequential orders arising from partnership disputes; administration of estates where the estate does not exceed in value the monetary limit of the court; family provision pursuant to the *Succession Act 1981* and construction of deeds and other documents.

Criminal

In practice the court deals with all indictable matters other than homicides and serious drug offences. More than 80% of all indictments are presented in the District Court. The court regularly conducts trials involving more than 24 offences attracting a maximum penalty of life imprisonment, as well as offences under the *Corporations Law* and against Federal and State revenue laws. These may involve many millions of dollars.

The judges of the Criminal Listing Taskforce, the Chief Judge, Judge O'Brien, Judge Shanahan, Judge Dick SC, Judge Griffin SC and Judge Rafter SC managed the criminal list in Brisbane. In the regions, the lists are managed by the resident judges. For the larger circuit centres, Judge Dodds has special responsibility for the Bundaberg and Kingaroy lists, Judge Shanahan for the remote communities, Judge Dick SC for the Mackay lists and Judge Dearden for the Mount Isa region.

The Planning and Environment Court

This court is constituted by a District Court judge appointed to it. It was constituted by the *Integrated Planning Act 1997*, which came into effect in March 1998. The court has unlimited monetary jurisdiction and exercises jurisdiction over all planning and like appeals in the State. Matters are often complex, involving property or investments of many millions of dollars. The court's decisions often have

significant economic, health or lifestyle impact on large communities throughout the State.

Health Practitioners Tribunal

All 24 District Court judges are members of this tribunal under the *Health Practitioners (Professional Standards) Act 1999*. The tribunal hears appeals from disciplinary tribunals in respect of most health professional groups, medical practitioners, chiropractors, dentists, dental technicians and prosthetists, occupational therapists, optometrists, pharmacists, physiotherapists, podiatrists, psychologists and speech pathologists.

Childrens Court

The District Court judges appointed to the Childrens Court of Queensland determine some of the serious criminal charges brought against children. They also provide speedy access for the hearing of bail applications and sentence reviews, especially for young children being held on remand.

Criminal jurisdiction

The judges of the Criminal Listing Taskforce, the Chief Judge, Judge O'Brien, Judge Shanahan, Judge Dick SC, Judge Griffin SC, Judge Rafter SC and Judge Martin SC managed the criminal list in Brisbane during the year. In the regions, the lists were managed by the resident judge. For the larger circuit centres, Judge Dodds had special responsibility for the Bundaberg and Kingaroy lists, Judge Shanahan for the remote communities, Judge Dick SC for the Mackay lists and Judge Dearden for the Mount Isa region.

Many of the cases are reviewed or managed by the judge before the review date, to ensure that the prosecution has provided the defence with all witness' statements and particulars and that the defence has considered whether a s.590AA hearing is required. In smaller centres the court conducts a "running list". In this way the court in these centres deals with its criminal workload having regard to the effect on the list of "late" pleas and *nolle prosequis*.

The common measurement of workload is by the number of defendants. A "defendant" for statistical purposes is defined as "one defendant; with one or more charges; and with all charges having the same date of registration."⁵ Defendants with secondary charges, such as breaches of court orders are excluded.

⁵ Review of Government Service Provision: 2007 Data Collection Manual – Court Administration Working Group, 08/08/2007 p 7-3.

The table that follows summarises the activity of the District Court criminal lists.

District Court – Criminal jurisdiction 2007 – 2008

	Number of defendants			Clearance rate *	Backlog indicator **	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane and regional centres						
Brisbane	2578	2682	929	104.0%	20.6%	10.0%
Beenleigh	505	567	184	112.3%	21.7%	8.2%
Cairns	596	670	173	112.4%	20.8%	4.6%
Ipswich	420	418	72	99.5%	9.7%	5.6%
Maroochydore	310	312	53	100.6%	7.5%	0.0%
Rockhampton	194	208	77	107.2%	7.8%	3.9%
Southport	556	458	260	82.4%	20.8%	8.1%
Townsville	369	367	126	99.5%	23.8%	11.9%
Total for Brisbane and regional centres	5528	5682	1874	102.8%		

District Court – Criminal jurisdiction 2007 – 2008 continued

	Number of defendants			Clearance rate *	Backlog indicator **	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Circuit centres						
Bowen	23	27	6	117.4%	0.0%	0.0%
Bundaberg	105	134	23	127.6%	26.1%	13.0%
Charleville	12	25	5	208.3%	0.0%	0.0%
Charters Towers	4	5	0	125.0%	0.0%	0.0%
Clermont	0	0	0	0.0%	0.0%	0.0%
Cloncurry	0	2	0	0.0%	0.0%	0.0%
Cunnamulla	1	2	1	200.0%	100.0%	100.0%
Dalby	19	26	10	136.8%	40.0%	30.0%
Emerald	12	17	5	141.7%	0.0%	0.0%
Gladstone	66	58	13	87.9%	7.7%	7.7%
Goondiwindi	15	20	3	133.3%	0.0%	0.0%
Gympie	41	43	6	104.9%	33.3%	16.7%
Hervey Bay	93	120	26	129.0%	15.4%	3.8%
Hughenden	0	0	1	0.0%	0.0%	0.0%
Innisfail	29	32	10	110.3%	20.0%	20.0%
Kingaroy	24	30	13	125.0%	38.5%	0.0%
Longreach	7	10	3	142.9%	66.7%	66.7%
Mackay	141	128	38	90.8%	15.8%	5.3%
Maryborough	86	80	10	93.0%	10.0%	0.0%
Mt Isa	118	136	31	115.3%	16.1%	0.0%
Roma	11	18	5	163.6%	20.0%	20.0%
Stanthorpe	1	3	0	300.0%	0.0%	0.0%
Toowoomba	230	200	32	87.0%	25.0%	9.4%
Warwick	40	38	8	95.0%	12.5%	0.0%
Total for circuit centres	1078	1154	249	107.1%		
State total	6606	6836	2123	103.5%	19.6%	8.4%

* Clearance rate Finalisations/lodgments

** Backlog indicator The number of active pending defendants with proceedings older than the specified time. Time is measured from date of lodgment (usually the date of the presentation of the indictment) to the end of the reporting period.

Civil jurisdiction

The ambit of the District Court's civil jurisdiction is described in s.68 of the *District Court of Queensland Act 1967*.

Disposition of civil cases

Some matters are disposed of by judges dealing with interlocutory applications in actions commenced by claims. The more complex matters are case-managed by the judges, leading to their early disposition.

Civil jurisdiction

The RoGS unit of measurement for the civil jurisdiction is a case. Secondary processes, such as interlocutory applications, are excluded. RoGS files include all claims and the majority of originating applications.

A civil case is considered active if it has not been finalised by adjudication, transfer to another court, settlement by mediation, default judgment, notification that parties have discontinued, or else is deemed to be resolved as, for example, where there has been no activity for 12 months.

This table shows the clearance rate in civil cases.

District Court – Civil jurisdiction 2007 – 2008

	RoGS non appeal cases			Clearance rate *	Backlog indicator **	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	2739	2715	2298	99.12%	22.15%	5.48%
State total	4849	4715	4378	97.24%	22.38%	4.87%

* Clearance rate Finalisations/lodgments

** Backlog indicator The number of active pending defendants with proceedings older than the specified time. Time is measured from date of lodgment to the end of the reporting period.

Applications court

The *Uniform Civil Procedure Rules* provide for a proceeding to be commenced in some circumstances by an application, and also provide for an application to be made to the court in the course of a proceeding which will ultimately be dealt with fully at a trial or hearing.

Interlocutory and originating applications were dealt with quickly and efficiently by the court. There was no great delay for reasons associated with the court in hearing either type of application, at any centre where there is at least one resident judge.

Appellate jurisdiction

The court hears all criminal and civil appeals from Magistrates Courts, as well as appeals from decisions of various tribunals and other statutory bodies.

Case management of appeals to the District Court continued with regular reviews of outstanding appeals throughout the year. Intervention notices are generated by the Registry for the parties to assist them in adhering to predetermined timeframes in accordance with Practice Direction 5 of 2001.

This table shows the clearance rate in criminal and civil appeals.

District Court – Appellate jurisdiction 2007 – 2008

	RoGS appeal			Clearance rate *	Backlog indicator **	
	Lodged	Finalised	Active		From filing date	
					% > 12 mths	% > 24 mths
Criminal						
Brisbane	139	124	102	89.21%	31.37%	0.00%
State total	338	316	311	93.49%	34.08%	3.22%
Civil						
Brisbane	41	42	41	102.44%	31.71%	2.44%
State total	97	76	110	78.35%	29.09%	3.64%

* Clearance rate Finalisations/lodgments

** Backlog indicator The number of active pending defendants with proceedings older than the specified time. Time is measured from date of lodgment to the end of the reporting period.

Planning and Environment Court

The Planning and Environment Court actively manages and promptly disposes of its caseload across the State. The judges who constitute the court are based in Brisbane and some of the regional centres. The judges also sit at other regional centres on circuit and for the hearing of particular proceedings. Active case management is applied throughout the State. There are resident judges who supervise and case manage in each of Cairns, Townsville, Rockhampton, Maroochydore and Southport. Judges from those centres and Brisbane also review and manage cases filed in registries which do not have a resident judge.

Reforms in recent years, encapsulated in Practice Direction No. 1 of 2006 with its emphasis on case management and alternative dispute resolution (ADR), have again resulted in the expedition of proceedings, and the reduction of costs.

All parties must, from the outset in new proceedings, focus on the means by which the action may be accelerated, its hearing time reduced, and the issues crystallised. They must also show that they have considered how the matter might be resolved other than through a contested hearing, and persuade the judge their proposals for exploring compromise are relevant to the special circumstances of each case and the issues in it. The court continually reviews its practices and processes to promote efficiency and effectiveness.

In the course of the year the judges were, for the first time, able to refer proceedings to a court provided ADR service, at no cost to the parties. During 2007 – 2008, the court's first ADR Registrar, Ms Peta Stilgoe, conducted 103 mediations in 141 sessions. Approximately half of those matters resolved at, or shortly after, the mediation. Some

measure of success was also achieved in many of the matters which did not completely resolve; in many cases, for example, issues in dispute were reduced or narrowed.

The judges, in consultation with both branches of the legal profession, reviewed its rules and practice directions with a view to evolutionary changes being adopted in the near future. Drafting of the new rules fell largely on Judge Rackemann, in consultation with the Chief Judge and the judges of the court and the Office of Queensland Parliamentary Counsel. The new rules cement the court's emphasis on speedier, more efficient and less expensive dispute resolution.

The judges were consulted in relation to proposed legislative reforms following the review of the *Integrated Planning Act 1997*, conducted by the Department of Infrastructure and Planning. Inevitably, the court's work was affected by the extensive amalgamation of local authorities throughout Queensland but, with the help of the legal profession, disruption has been minimal.

The judges continue to engage with those involved in the planning and environment field, through bodies such as the National Environmental Law Association (NELA) and the Queensland Environmental Law Association (QELA). Judge Robin QC and Judge Rackemann attended the NELA conference in Perth, while Judge Rackemann presented a paper at the judges' session of the QELA conference on the Gold Coast.

In March the Chief Judge and Judge Rackemann met with Professor George Pring from the Sturm College of Law of the University of Denver and with Mrs Catherine Pring, a consultant/mediator, who travelled to Queensland as part of a comparative study of 21 environmental courts and tribunals

across 15 countries. In May the ADR Registrar presented a paper in Arizona, concerning mediation in the resolution of environmental disputes.

A recent review of Planning and Environment Court files revealed under-recording of proceedings which had been finalised and consequent understatement of the court's clearance rate. Corrective measures have enabled the preparation of more accurate statistics. Statistical information appears below.

This year marked the retirement of Judge White, who managed the list in Cairns for many years and who will be greatly missed. For much of the year the court was without its most senior member, Senior Judge Skoien, who was elevated to the position of Acting Justice of the Supreme Court. Judge Wilson SC and Judge Rackemann have overseen the day to day management of the list in Brisbane during the year.

Senior Judge Skoien



Judge Wilson SC



Judge Rackemann



This table shows the clearance rate in Planning and Environment Court cases.

Planning and Environment Court 2007 – 2008

	Lodged	Finalised	Active	Clearance rate *	Backlog indicator **	
					From filing date	
					% > 12 mths	% > 24 mths
Brisbane	557	517	536	92.82%	25.37%	4.48%
State total	782	772	748	98.72%	24.73%	4.01%

* Clearance rate

Finalisations/l odgments

** Backlog indicator

The number of active pending defendants with proceedings older than the specified time. Time is measured from date of lodgment to the end of the reporting period.

Health Practitioners Tribunal

The Health Practitioners Tribunal, established by the *Health Practitioners (Professional Standards) Act 1999*, is the ultimate disciplinary body for medical practitioners, chiropractors, dentists, dental technicians and prosthetists, occupational therapists, optometrists, pharmacists, physiotherapists, podiatrists, psychologists and speech pathologists.

The tribunal has an appellant jurisdiction and a review jurisdiction. Appeals are by way of rehearing and the tribunal may give leave to adduce fresh, additional or substituted evidence.

Every judge of the court is a member of the tribunal. A hearing is conducted before the judge who is the constituting member and who sits with assessors appointed from gazetted lists, two from each list of members from the relevant profession

and one from a public list of persons of good standing in the community. All questions of law and fact must be decided by the judge, and the judge may have regard to the views of the assessors on factual issues.

The Chief Judge, as chairperson of the tribunal, nominated a judge as the constituting member for a particular hearing. During the year Judge O'Brien co-ordinated the tribunal's lists, with Judge Wall QC, Judge Forde, Judge Richards, Judge Dick SC and Judge Griffin SC also acting as constituting members.

In 2007 – 2008, 26 new matters were lodged in the tribunal. Most of them were from the Medical Board with 72% of the referrals. Referrals were also filed by the Psychologists Board, Pharmacists Board, Medical Radiation and Dental Board.

This table shows the clearance rate in the Health Practitioners Tribunal.

Health Practitioners Tribunal jurisdiction 2007 – 2008

	Lodged	Finalised	Active	Clearance rate *	Backlog indicator **	
					From filing date	
					% > 12 mths	% > 24 mths
Brisbane	26	30	28	115.0%	21.43%	0.0%

* Clearance rate

Finalisations/lodgments

** Backlog indicator

The number of active pending defendants with proceedings older than the specified time. Time is measured from date of lodgment to the end of the reporting period.



Judge Dick SC, President, Childrens Court of Queensland

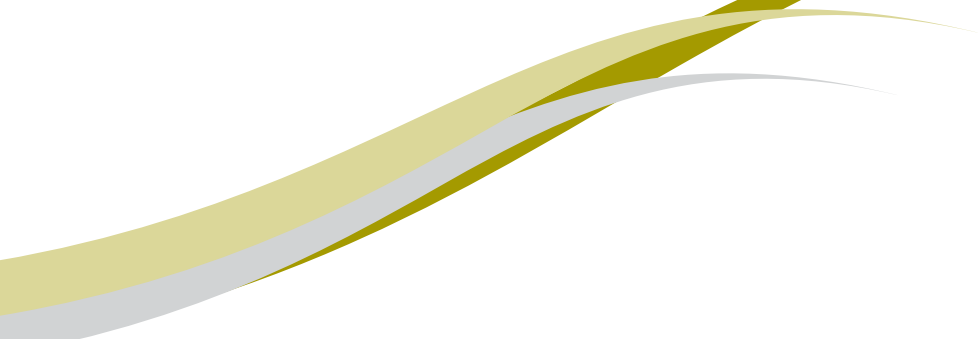
Childrens Court

The Childrens Court of Queensland is a specialist jurisdiction established under the *Childrens Court Act 1992*. The President of the court is Judge Dick SC and there are 23 judges of the court who also hold commissions under the Act. The number of judges holding commissions under the Act has contributed to the efficiency and productivity of the Childrens Court.

A separate annual report of the Childrens Court of Queensland is prepared under the *Childrens Court Act* and further details of the Childrens Court can be found in that report.



Regional centres



The court sits in Brisbane and the seven regional centres where 11 of the judges are based. The regional centres are located at Maroochydore, Southport, Cairns, Townsville, Rockhampton, Ipswich and Beenleigh. Judges also travel on circuit to other centres throughout the State. At most circuit centres and at some regional centres the judges rely on such registry support as is available from staff of the Magistrates Courts' service.

Maroochydore

Judiciary

Judge Dodds

Judge Robertson

In addition to the usual work within the jurisdiction of the District Court, both judges also deal with proceedings in the Planning and Environment Court. Maroochydore has a significant workload in this busy jurisdiction, and finalised 100 cases during the year with a clearance rate of 158.73%. Both judges also sit as a Childrens Court judge.

During the year under report, 310 new criminal matters were lodged in the court at Maroochydore, and 312 matters were disposed of there, a 100.6% clearance rate, leaving only 7.5% of matters older than 12 months and none older than 24 months.

The Maroochydore based judges undertake much of the circuit work at Gympie (a 104.9% clearance rate) and Kingaroy with 125%. The Kingaroy district includes the largely indigenous community of Cherbourg and the judges visit the nearby town of Murgon on circuit. Judge Dodds also has responsibility for the Bundaberg circuit lists and has achieved a 127.6% clearance rate in Bundaberg. Both judges undertake circuit work elsewhere in the State.

With 235 new civil matters lodged, 278 were finalised, with a 118.3% clearance rate.

Most of the work of the Maroochydore Court is undertaken by the resident judges, with some assistance from other judges who visit on circuit.

Southport

Judiciary

Judge Newton

Judge Wall QC

Judge Kingham

In addition to the usual District Court work of the resident judges, Childrens Court and Planning and Environment Court cases were disposed of in Southport and each of the judges performed circuit work at centres elsewhere in the State.

During the year under report, 556 new criminal matters were lodged in the court at Southport, and 458 matters were disposed of there, an 82.4% clearance rate, leaving 20.8% older than 12 months and 8.1% older than 24 months.

There were 564 new civil matters lodged and 543 were finalised, with a 96.28% clearance rate. In the planning jurisdiction, 37 cases were finalised.

Other judges on circuit provide considerable assistance to the court at Southport.

Cairns

Judiciary

Judge White

Judge Bradley

During the year under report, Judge White (who retired on 31 May 2008) and Judge Bradley were the resident judges in Cairns and managed the court's lists there. This centre is also served by the Supreme Court's Far Northern Judge. The region includes Innisfail and Cape York. Both judges held commissions in the Childrens Court, and Judge White also held a commission in the Planning and Environment Court.

Cairns is a busy centre for the planning jurisdiction where 60 cases were disposed of with a 122.45% clearance rate in 2007 – 2008.

During the year under report, 596 new criminal matters were lodged in the court at Cairns, and 670 matters were disposed of there, a 112.4% clearance rate. Of the remaining matters, 20.8% were older than 12 months and 4.6% older than 24 months. With 225 new civil matters lodged, 285 were disposed of, a 126.67% clearance rate.

Both judges undertook circuits in the Cairns region and elsewhere in the State. Some assistance is provided by judges on circuit from other centres.



Townsville

Judiciary

Judge Pack

Judge Durward SC

Judge Pack and Judge Durward SC are the resident judges, and Townsville is also served by the Supreme Court's Northern Judge. Judge Pack and Judge Durward SC hold commissions in the Childrens Court and the Planning and Environment Court.

During the year under report, 369 new criminal matters were lodged in the court at Townsville, and 367 matters were disposed of there, a 99.5% clearance rate. Of the remaining matters, 23.8% were older than 12 months and 11.9% older than 24 months. With 380 new civil matters lodged, 414 were finalised, a 109% clearance rate. In the planning jurisdiction, 40 cases were finalised.

Judge Pack and Judge Durward SC manage the lists, as well as undertaking circuits in their region and elsewhere in the State. Some assistance is provided by judges on circuit from other centres.



Judge Grant Britton SC

Rockhampton

Judiciary

Judge Britton SC

The resident judge in Rockhampton, Judge Britton SC, who also holds commissions in the Planning and Environment Court and the Childrens Court of Queensland, manages the court's Rockhampton lists. Rockhampton is also served by the Supreme Court's Central Judge. Judge Britton undertakes circuits in the region and elsewhere in the State.

During the year under report, 194 new criminal matters were lodged in the court at Rockhampton, and 208 matters were disposed of there, a 107.2% clearance rate. Of the remaining matters, only 7.8% were older than 12 months and 3.9% older than 24 months. With 87 new civil matters lodged, 82 were disposed of, a 94.25% clearance rate.

Some assistance is provided by judges on circuit from other centres.



Judge Deborah Richards

Ipswich

Judiciary

Judge Richards

Judge Koppenol (since January 2008)

The resident judge since 1998, Judge Richards, was joined this year by Judge Koppenol to assist with the burgeoning workload at Ipswich. Judge Richards holds a commission in the Childrens Court of Queensland, and manages the Ipswich lists. Both judges undertook circuits in centres throughout the State.

During 2007 – 2008, 420 new criminal matters were lodged in the court at Ipswich, and 418 matters were disposed of there, a 99.5% clearance rate. Of the remaining matters, only 9.7% were older than 12 months and 5.6% older than 24 months. Some assistance was provided by judges on circuit from other centres.

Beenleigh

Judiciary

Judge Dearden

Judge Dearden, the resident judge, also holds a commission in the Childrens Court of Queensland and manages the Beenleigh and Mount Isa lists. During the year under report, 505 new criminal matters were lodged in the court at Beenleigh, and 567 matters were disposed of there, a 112.3% clearance rate. Of the remaining matters, 21.7% were older than 12 months and 8.2% older than 24 months. The judge also conducted circuits in Mount Isa and other centres.

Considerable assistance is provided by judges on circuit from other centres.

Circuit centres

Depending upon caseload, District Court jury trials may be held in 24 circuit centres (excluding those with a resident judge), and the judges also travel to the 15 remote or Aboriginal and Torres Strait Islander communities throughout the State, for sentencing and some civil matters.

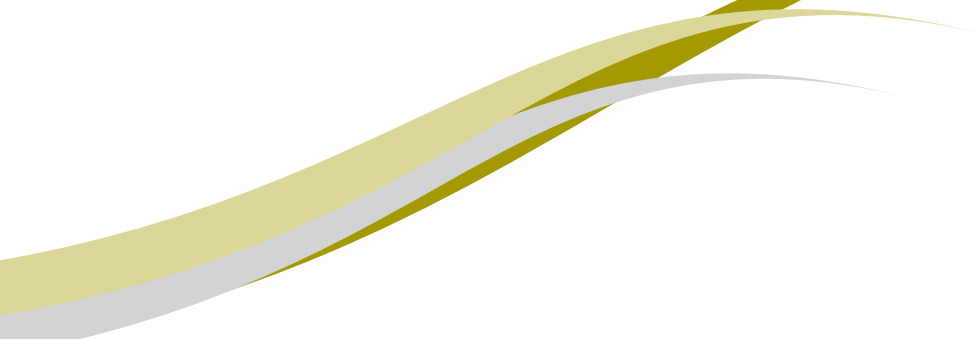
Judges sit in the court's appellate, criminal, civil and applications jurisdictions, as well as in the Planning and Environment Court and the Childrens Court of Queensland while on circuit. including Judge McGill's Cloncurry circuit where he presided over the first trial in that centre since 1981.

A list of the 35 centres (excluding those with a resident judge) where judges sat on circuit during 2007 – 2008 is set out below:

Aurukun	Kowanyama
Bamaga	Lockhart River
Bowen	Longreach
Bundaberg	Mackay
Charleville	Maryborough
Charters Towers	Mornington Island
Cloncurry	Mount Isa
Cooktown	Murgon
Cunnamulla	Normanton
Dalby	Pormpuraaw
Doomadgee	Roma
Emerald	Stanthorpe
Gladstone	Toowoomba
Goondiwindi	Thursday Island
Gympie	Warwick
Hervey Bay	Weipa/ Naranum
Innisfail	Yarrabah
Kingaroy	



Judges' committees



The membership of the judges' committees as at 30 June 2008, with the Chief Judge an ex officio member of each committee, was as follows:

Aboriginal and Torres Strait Islander

Convenor: Judge Shanahan
Members: Judge Forde
Judge Pack
Judge Bradley
Judge Kingham

Civil Procedure

Convenor: Judge Robin QC
Members: Judge McGill SC
Judge Wilson SC
Judge Rackemann
Judge Searles

Judicial Professional Development

Convenor: Judge Dick SC
Members: Judge Griffin SC

Criminal Law

Convenor: Judge Robertson
Members: Judge Shanahan
Judge Dick SC
Judge Griffin SC
Judge Dearden
Judge Rafter SC
Judge Martin SC

Court Planning

Convenor: Judge Griffin SC
Members: Judge Wilson SC
Judge Rackemann
Judge Kingham

Salaries and Entitlements

Convenor: Judge Botting
Members: Judge Wilson SC
Judge Rackemann
Judge Searles

Aboriginal and Torres Strait Islander Committee

The Aboriginal and Torres Strait Islander Committee's goals are:

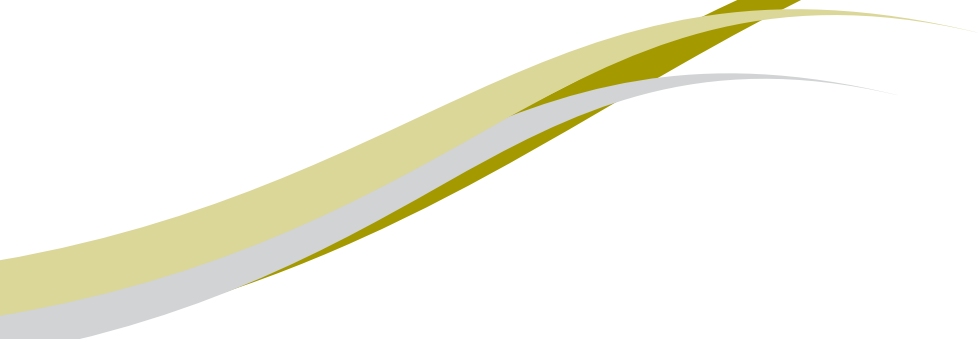
- To deal with matters relating to Aboriginal and Torres Strait Islanders referred to the committee;
- To liaise with representatives of the Aboriginal and Torres Strait Islander communities about matters affecting the court and members of those communities, other than decisions of individual judges;
- To recommend appropriate speakers on these topics at judges' conferences;
- To develop and improve the relationship and understanding between the court and the Aboriginal and Torres Strait Islander communities; and
- To keep other judges and the community informed of such improvements and developments.

On 17 August 2007 the Chief Judge and Judge Shanahan met with consultants engaged by the Office of Evaluation and Audit within the Commonwealth Department of Finance and Administration who were undertaking a programme evaluation of Legal Aid for Indigenous Australians. The judges expressed concerns about the standard of legal representation available to Indigenous Australians which varied across the State with particular reference to resource issues faced by the Aboriginal and Torres Strait Islander Legal Service.

On 18 October 2007 the Chief Judge, Judge Shanahan and Judge Kingham met with Dr Michael Limerick, a consultant retained by Queensland Corrective Services to conduct an evaluation of that Department's Aboriginal and Torres Strait Islander Strategy. Various issues were discussed particularly the need for the presence of community corrections officers in remote communities. Further consultation with other judges followed.

In February and March 2008 the Chief Judge, Judge Shanahan and other judges met with Ms Donna-Maree O'Connor, Director, Cape York Justice Strategy, Department of Justice and Attorney-General in relation to the Department's review of justice services to Cape York communities. Numerous issues were discussed, including remote circuits and interpretation issues. Ms O'Connor delivered her report "Improving Cape York Justice Strategies" on 30 June 2008.

The committee for many years, has drawn attention to the need for indigenous interpreters, particularly in remote communities. The Department of Justice and Attorney-General has now initiated a training programme for indigenous interpreters. On 29 April 2008 representatives from the National Accreditation Authority for Translators and Interpreters (NAATI) met with the judges about the project to offer interpreter training and accreditation testing in indigenous languages. Subsequently a proposal was forwarded to the Chief Judge for a specific training programme for the Wik Mungkan language to be run at Aurukun. The judges gave their whole-hearted support for the project.



In February 2008 the Chief Judge nominated Judge Forde and Judge Shanahan to be part of the state-wide Community Justice Reference Group to address issues facing the Community Justice Groups across the State. The first meeting of the group, in May 2008 in Brisbane was attended by representatives from many Community Justice Groups and also Judge Shanahan and a comprehensive action plan was developed. It is anticipated that this will supply the vital support needed for Community Justice Groups.

During 2007 – 2008, circuits were again performed to the Gulf (Mornington Island, Doomadgee and Normanton) on two occasions, to the Cape (Weipa/ Napranum, Kowanyama, Aurukun, Pormpuraaw and Lockhart River) on two occasions with a third circuit to Aurukun, to Thursday Island and Bamaga on two occasions and to Yarrabah and Cooktown. During the Kingaroy circuits, the court continues to sit at Murgon to deal with Cherbourg sentence matters. Because of continuing inadequate facilities, the District Court was unable to conduct sentence proceedings on Palm Island.

Judge Bradley continues as a member of the National Judicial College of Australia's Indigenous Justice Committee. Judge Shanahan is a member of the NJCA Queensland sub-committee chaired by Justice Atkinson, and he continues as a member of the AIJA Indigenous Justice Committee. That committee is in the process of developing an indigenous cultural awareness training programme for the judges next year.

On 26 September 2007 Judge Forde presented a speech "Indigenous Justice Alternatives" to the l'Ecole Nationale de la Magistrature in Bordeaux. On 22 May 2008 Judge Shanahan attended a session of the Magistrates Conference on Murri Courts.



Judge Robin QC



Judge McGill SC

Civil Procedure Committee

The Civil Procedure Committee has expanded in 2007 – 2008, and is now constituted by Judge Robin, Judge McGill SC, Judge Alan Wilson SC, Judge Rackemann, Judge Searles and Judge Andrews SC. Their function is to provide the Chief Judge with views (not necessarily a unanimous or joint one) regarding the court's civil jurisdiction and the exercise of it.

The committee's work commonly involved considering proposals for changes to the civil jurisdiction which may be embodied in the *District Court of Queensland Act 1967* or other legislation (of the State or Commonwealth – even proposed international agreements) on which the court is offered the opportunity to comment. The committee's suggestions and comments are often sought, too, on matters involving the operation and possible amendment of the *Uniform Civil Procedure Rules* and Practice Directions, current or proposed.

Pressure of work and the demands of court lists usually mean the committee's work is undertaken by way of email exchanges, based on the members' private reflections, alone or in consultation. These exchanges are robust (sometimes, indeed, adversarial) but frank and forthright expressions of opinion have, ultimately, ensured the committee provides real and considered advice to the Chief Judge, and other members of the court. The committee, or members individually, are available to the judges as a resource to be consulted on matters within the committee's purview. From time to time presentations may be made, or pertinent information imparted. Members are always open to suggestions from any quarter. Two members sit, as District Court judges, on the Chief Justice's Rules Committee. They are Judge Robin QC and Judge McGill SC.

Courts Planning Committee

The committee's work again focussed on the proposed new metropolitan courthouse for the Supreme and District Courts in Brisbane. The committee has also considered, and assisted the Chief Judge with matters involving associates' appointment, training and duties, circuit arrangements and the management of lists at some centres without a resident judge.

Professional Development Committee

This committee of the judges oversees the activities of the judges in the court in broadening and advancing the knowledge and understanding of the judges. The court has a budget for this purpose, administered by the Chief Judge with the assistance of the committee.

In June/July 2007 many of the judges attended the Biennial Conference of the District and County Court Judges of Australia and New Zealand in Perth. The speakers included Mr Richard Bourke ("The Louisiana Capital Assistance Center, USA"); Hon James Wood AO QC ("Making Criminal Trials Simpler"); Magistrate Sue Gordon AM and Judge Heemi Taumaunu ("Indigenous Issues"); Professor Neil Vidmar ("Jury Communications"); Hon Greg James QC and Mr Ron Cannon ("Judicial Mediation in Criminal Trials") and Dr David Indermaur ("Penal Populism and Public Perception").

The judges held their annual conference in August 2007. The speakers included Professor Neil Brewer on "Eyewitness Identification", Mr Mike Anthony and Ms Jane Douglas and Dr Aiden Foy on "Essentials for Career Performance and Longevity" and "Caring for your Colleagues", Justice Eames of the Court of Appeal of Victoria ("Communicating with

Jurors") and Mr Glenn Martin SC (Ethics). Mr Jim McGowan, Director-General, Department of Justice and Attorney-General and Mr Cameron Woods, Deputy Court Administrator, also spoke in respect of administration and support for the courts. Judges Shanahan and Dick SC reported on recent cases of significance.

Judges attended workshops or conferences throughout the year:

- Judge Rafter SC, Judge Martin SC and Judge Searles attended the NJCA's Judicial Orientation Programme in Sydney;
- Judge Botting, Judge Rackemann, Judge Dearden and Judge Koppenol attended the Phoenix Judges' Programme in Canberra; and
- Judge Brabazon QC and Judge Tutt attended NJCA Judgment Writing Program in Adelaide.

Judges also presented papers or participated in seminars or conferences throughout the year:

For example, in August 2007 Judge McGill SC attended the Australian Institute of Judicial Administration discovery seminar in Melbourne; Judge Kingham spoke at a North Queensland Law Association criminal law seminar and the Chief Judge spoke at the QLS Rule of Law conference in the Banco Court; Senior Judge Skoien represented the court at a National Judicial College of Australia meeting in Canberra; in September 2007 Judge Rafter SC spoke to the Australian and New Zealand College of Anaesthetists about indemnity, and the Chief Judge spoke at the Maryborough Courthouse celebrations; in November Judge Robertson attended the National Judicial College of Australia "Communication in the Courtroom" conference and the Chief Judge the 17th Pacific Judicial Conference in Tonga; in February 2008, Judge Forde spoke on "Twenty five trip wires to successful litigation"

at the Gold Coast Australian Lawyers Alliance Conference; in March Judge McGill SC presented his paper on recent developments in public liability litigation at the QLS 2008 Symposium; in April the Chief Judge spoke at the QLS “Law and Order Issues in the 21st Century” forum and in May at the “Disabled Justice” launch; in May Judge Griffin SC and Judge Rafter SC led sessions at the International Crime Cooperation Workshop held for officers from South Pacific nations and Judge Rackemann led the judges’ session at the Queensland Environmental Law Association conference; in June Judge Dick SC undertook, in Tonga, the Judicial Officers Benchbook Project, Pacific Judicial Development Programme, for Tonga’s magistrates, and Judge Dearden spoke to the Commonwealth DPP Brisbane staff on various attributes of a prosecution.



Judge Charles Brabazon QC



**Registry
services and
administrative support**

Office of Director of Courts

The Office of Director of Courts co-ordinates registry and administrative services to provide essential support to the District Court throughout the State.

Previously known as the Office of the Principal Registrar and Administrator, the position was re-designated as Director of Courts during 2007. Ms Robyn Hill, the current Director, is supported by executive, administrative and registry staff throughout Queensland.

Since July 2007, the corporate and operational areas of the court have undergone a major restructure. This was undertaken to improve file management and workflows, better support and develop staff, improve the reporting of financial matters and performance, and better manage risk.

Within the registry, operational teams have been established as follows:

- criminal jurisdiction (including the management of juries);
- civil jurisdiction;
- specialist jurisdiction (including the management of single judge appeals, and tribunals); and
- client services and records management.

A new Courts Corporate Services Unit was established in September 2007. This unit is responsible for managing finance and general administration as well as administrative support for the judges. It also has a focus on business development and improvement. This new structure has enabled the court to remove duplication in the provision of a range of administrative support functions.



Supreme and District Courts senior management group (l-r) Stephanie Attard, Director, State Reporting Bureau and Courts Corporate Services; Kevin Meiklejohn, Executive Manager (Reporting Operations), State Reporting Bureau; Ashley Hill, Director, Information Management; Robyn Hill, Director of Courts; Julie Steel, Deputy Director of Courts; and Bruce Hubert, Director, Court Technology Group.



Registrars of the Supreme and District Courts (l-r) Ian Enright, Neil Hansen, Max Dahlke, Susie Faulkner, Clare Scott, Tracy Dutton, Vera Maccarone, Kristine Gillespie, Renae Wilson, Jo Stonebridge, Paul Wigley and Neville Greig.

In early 2007, a list of business priorities was agreed upon by the Chief Judge as a focus for improvement for the registry and court administration. The list of priorities was extensive but significant progress was made and many of the priorities were completed or in the final stages of completion in November 2007.

Business priorities

At the close of 2007, the Chief Judge endorsed an updated list of business priorities for the court. Work on addressing these priorities is ongoing and in keeping with the commitment of the court to improve the delivery of court services.

Engagement with the profession has been ongoing throughout this period and will continue.

Future Courts Program

In July 2007, the Continuous Process Improvement Program evolved into the Future Courts Program. This programme will focus on developing a single enterprise case management system for all of Queensland Courts. Future Courts works closely with the registry operations and, this year, has been responsible for introducing a number of key initiatives:

- development and deployment of the Civil Information Management System (CIMS) Lite database to all regional registries in Queensland;
- development of eTrial strategy and technology solution (online hosting technology solution) and successful completion of two eTrials;
- Implementation of improved performance management and reporting framework, including the management and quality of statistical information maintained and published by the court; and
- consistent with the Future Courts agenda, there has been an emphasis on delivering consistent and responsive registry service during the past 12 months. Senior managers, and other key registry staff, have attended training conducted by the Queensland University of Technology in relation to Business Process Management. This has improved the capacity of the registry to review and improve its own processes to ensure that the service provided is aligned with the infrastructure which surrounds it and is sustainable and consistent.

The registry process review work is overseen by the Future Courts Program to ensure that quality uniform processes, capable of application across Queensland, are developed and implemented. A major objective is the production of detailed procedures to be made available to court staff throughout Queensland via the intranet.

Other important achievements for the year include:

- changes to the costs assessments regime pursuant to the *Uniform Civil Procedure Rules 1999*. In December 2007, significant amendments to the UCPR enabled costs assessments to be undertaken by appropriately qualified external costs assessors instead of court registrars. This has provided enormous benefits to the parties and the legal profession as assessments are performed by expert assessors with greater speed and efficiency; and
- the commencement of the *accessCourts* initiative. This initiative incorporates three separate programmes into a service that provides support for self represented litigants in the Supreme and District Courts at Brisbane. The services for the initiative are provided by the Queensland Public Interest Law Clearing House (QPILCH), Court Network for Humanity, and registry. This initiative will ensure that self represented litigants are not disadvantaged in their dealings with the processes of the Supreme and District Courts.

Other significant achievements, in particular those associated with the State Reporting Bureau and the Information Management Division of the court, are discussed in other areas of this report.



District Court

The District Court deals with serious criminal offences such as rape, armed robbery and fraud. Juries are used to decide if defendants are guilty or not guilty.

This court also hears appeals from cases decided in the Magistrates Court and disputes involving amounts of more than \$50,000, but less than \$250,000. A jury may be used to decide these financial disputes.

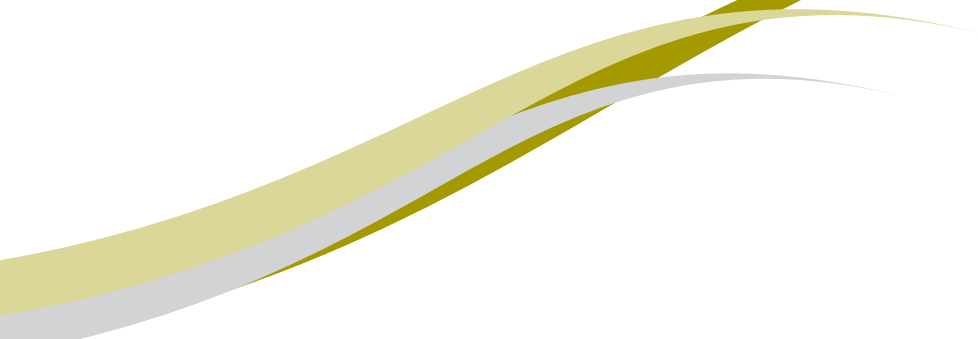
The District Court includes the:

- Planning and Environment Court which hears disputes over land, such as objections to zonings and subdivisions
- Health Practitioners Tribunal which hears matters relating to the conduct and practice of registered health practitioners in Queensland
- Children's Court of Queensland which deals with cases where the accused (or defendant) is under the age of seventeen.

The District Court sits in Brisbane, Ipswich, Southport, Beenleigh, Maroochydore, Rockhampton, Townsville and Cairns. Judges also travel throughout Queensland to hear matters in regional and remote areas.

Judges of the District Court

Last updated 18 December 2007



The Information Management Division focuses on the delivery of technology, communications and sentencing information. The division incorporates:

- Information Technology – provides technology and systems support to the registries and judges of the District Court;
- Queensland Sentencing Information Service (QSIG) – provides a comprehensive collection of sentencing information to assist decision-makers, on and before the Bench;
- Queensland Courts Communications (QCC) – develops and manages the communication materials used by the Supreme, District and Magistrates Courts throughout Queensland.

Information Technology

In 2007 – 2008, Information Technology was allocated funding by the Department of Justice and Attorney-General to implement a range of initiatives including the expansion of courtroom technology.

Personal computers were installed on all court Benches and associates' desks in civil courtrooms of the Brisbane Law Courts Complex.

The computers allow judges to access information such as legislation and case law from the Bench. This technology was previously only available in regional and criminal courtrooms.

eCourtroom capabilities have also been developed and can be established in any District Court within just a few hours.

eCourtrooms allow parties in civil matters to electronically manage and present evidence. This process allows hearings to proceed more efficiently as all parties, the judge and witnesses can view evidence at the same time. eCourtrooms will be

used for selected matters in the civil jurisdiction of the District Court in 2008 – 2009.

The implementation of CIMSLite in District Court registries has also led to further efficiencies.

CIMSLite has enhanced CIMS (Civil Information Management System). CIMSLite is a simple, web-based programme that can be used in all District Court registries. All civil files are now managed through these programmes and can be searched online using the eSearch facility on the courts website. More than 780,000 searches were conducted in 2007 – 2008 (an increase of 64% from 2006 – 2007).

The implementation of an electronic document and records management system in the registry has also streamlined operations and will be an important part of future information technology systems developed for the court.

The Queensland Sentencing Information Service

The majority of QSIG resources are dedicated to the addition and enhancement of legal content. However in 2007 – 2008, staff also worked with the Judicial Commission of New South Wales to enhance functionality and increase access to this service.

QSIG systems and interfaces have been enhanced and access was extended to private legal practitioners during this period. More than 100 entities (including sole practitioners and law firms) now access the free service.

QSIG staff have also travelled to regional centres throughout the year to provide training to judicial officers and other QSIG users.

Queensland Courts Communications

The QCC was established in 2007 – 2008 to enhance the communications activities of all Queensland Courts.

During this period, staff developed and began implementing a contemporary visual identity to be used in all publications and correspondence in the Magistrates, District and Supreme Courts.

The Queensland Courts website was also re-launched in December 2007. It provides information about court processes and programmes. The new site is easy to navigate and targets key audiences such as jurors, the legal profession and self-represented litigants. More than 247,000 separate visits were made to the website in the six months to June 2008.

Court Technology Group

The Court Technology Group (CTG) was established to provide strategic leadership and operational support for courtroom-based technologies such as audio visual playback and the digital recording of proceedings. Following an organisational restructure in the Department of Justice and Attorney-General in March 2008, CTG became accountable to the Director of Courts, Supreme and District Courts. The Information Management Division will work closely with CTG during 2008 – 2009 to improve the technology installed in District Courts throughout Queensland.

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SIDE 1 →

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BIBLIOGRAPHY
GENERAL REFERENCE

The Law Reports
Current Law (UK)
The Digest
History's Laws of England
Austrian & NZ Commentary on
Nashbury's Laws of England
Encyclopaedia of Forms & Procedures
Albion Court Forms
Digests & Encyclopaedias - Other
Countries
Women's Forms of Agreements
World's Legal Forms
Textbooks (not for sale)

REF 1-28 Indexes
REF 29-119 Bibliography

Related
organisations

The Court Library

Introduction

The Supreme Court of Queensland Library (SCQL) embraces a dual role within the Queensland community by providing a bridge to the past – through legal heritage programmes – and a gateway to the future – via legal information services.

Although SCQL maintained a high level of activity across a variety of historical research and preservation projects, the two most significant events of 2007 – 2008 were a result of a renewed focus on innovative information service delivery. The first was the launch of the SCQL Online website in November 2007, which provides centralised online access to legal resources for all Queensland practitioners. The second was the closure of the Queensland Law Society (QLS) member library in December 2007, at which time SCQL resumed primary responsibility for the delivery of library services to Queensland solicitors.

These important achievements are milestones of a much broader and far-reaching transformation taking place within libraries; a transformation driven by rapidly evolving technology and changing business models within the publishing industry. The QLS experience demonstrated the potential of library consolidation to realise greater cost efficiency without compromising user service.

The SCQL vision, as we move towards the new Supreme and District Courts building in 2011 – 2012, is to serve as the primary legal information service for Queensland, thereby eliminating duplication across publicly-funded law libraries and expanding the range of legal resources available to the wider community.

Queensland's online legal library

The expectations of information consumers are changing and, just as university constituents now assume online access to full-text resources, so the legal profession requires convenient, desktop access to core information services. The SCQL Online project, of which the website is part, will streamline library services and facilitate remote access to content, 24 hours a day, 7 days a week, for all Queensland legal practitioners registered with the Library.

After nearly a decade as administrator of the joint Queensland Courts / Library website, SCQL launched its dedicated library website (www.sclqld.org.au) in November 2007. The site registered 988,384 visits in the seven months to 30 June 2008.

Features include:

- Free, remote access to selected SCQL subscription services for registered members of the legal profession, including the extensive, full-text *Making of Modern Law* and *HeinOnline* databases;
- A database of full-text Queensland judgments, with enhanced search and browse options;
- A searchable database of profiles on members of the Queensland judiciary and judicial speeches, papers and publications;
- Free access to the *Queensland Legal Updater* – a new current awareness service offering a selected, weekly review of important happenings in the law; and
- A secure document delivery request system for legal practitioners, firms and libraries.

The launch of the website, together with a redeveloped *Judicial Virtual Library* intranet for judges, marks completion of the first phase in a broader online services strategy. In 2008 – 2009, the substantial upgrade and development of the SCQL online catalogue will continue to further facilitate seamless, remote access to the library’s rich research collection. The sophisticated catalogue system, also used by the University of Queensland and Queensland University of Technology, will provide a robust platform for the centralised delivery of services and resources.

State Reporting Bureau

The State Reporting Bureau (SRB) provides recording and transcription services for the Supreme, District and Magistrates Courts, Industrial Court and Industrial Relations Commission. The Bureau also provides reporting services for the Medical Assessment Tribunal, Mental Health Court, Industrial Court, Land Appeal Court and Legal Practice Tribunal.

Services are provided in Brisbane and at 35 regional and circuit centres in Queensland.

In respect of the Supreme Court Trial Division, reporting services are provided in Brisbane, Cairns, Townsville and Rockhampton and the circuit centres of Mount Isa, Bundaberg, Longreach, Maryborough, Toowoomba and Roma.

In respect of the District Court, reporting services are provided in Brisbane, Cairns, Townsville, Rockhampton, Innisfail, Hughenden, Charters Towers, Bowen, Mackay, Gladstone, Bundaberg, Maryborough, Maroochydore, Gympie, Kingaroy, Emerald, Clermont, Mount Isa, Cloncurry, Longreach, Dalby, Roma, Toowoomba,

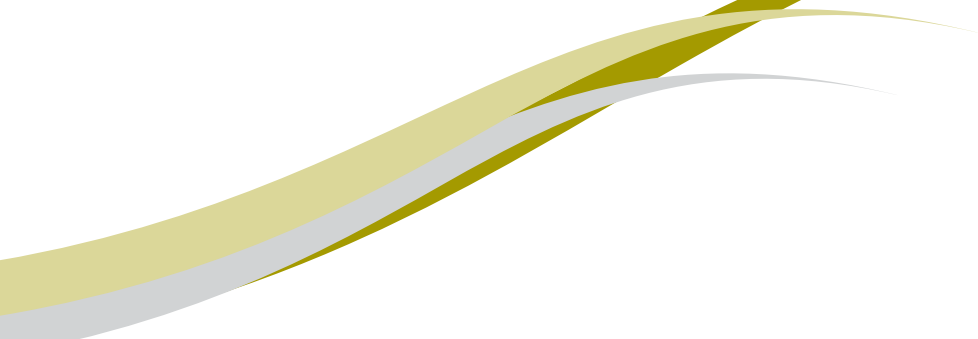
Goondiwindi, Stanthorpe, Warwick, Ipswich, Southport, Charleville and Cunnamulla.

Digital recording of Queensland Courts is now in operation. Monitoring and recording of courts is operated by the SRB, with monitoring done remotely to the court. This allows SRB staff to distribute work across any of the ten SRB centres. All recordings are automatically transferred, using JAG’s secure network, to a central archive (in Brisbane) where they are stored and accessed for either playback review or distribution for transcription. This centralised approach ensures the record of all court sittings is securely maintained and managed, without the previous risks associated with physical transport and storage of tape-based recordings.

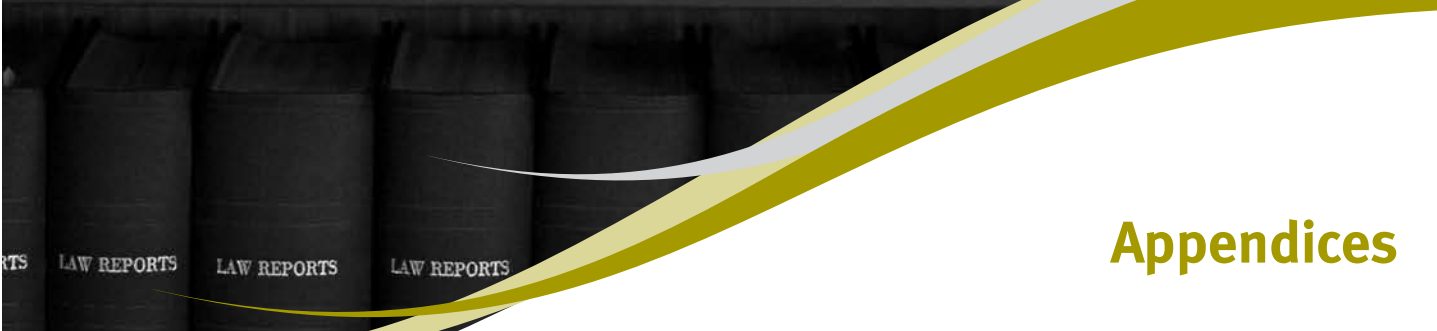
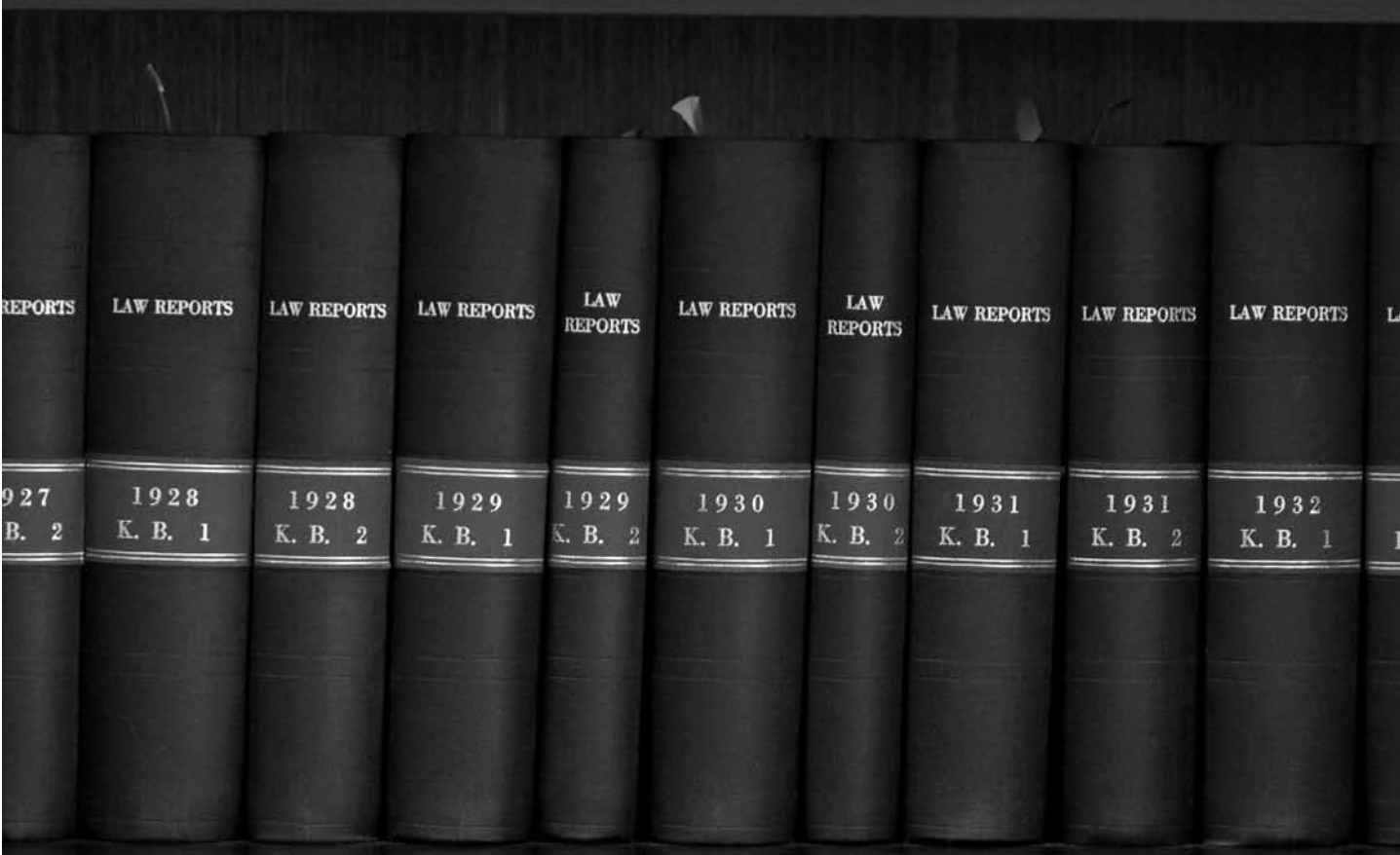
This year the Bureau implemented a number of initiatives aimed at improving services and service delivery to its clients.

These have included:

- The automation of operational reporting within the Bureau;
- The creation of a Courts Corporate Services Unit as a result of the amalgamation of Courts Administration and SRB’s Business Services units;
- The streamlining and standardisation of transcript production with the assistance and cooperation of the judiciary;
- The creation of an in-house training programme to train existing audio reporters as CAT reporters;
- The implementation of a working from home pilot within the State Reporting Bureau;
- A three stage project has commenced to develop an automated online service for the:

- 
1. ordering and payment of court transcripts;
 2. online system for access to court transcripts to subscribers and internal users; and
 3. the electronic distribution of court transcripts to subscribers and internal users.

The Bureau's provision of an accurate and timely recording and transcript of proceedings is critical to the courts' capacity to work efficiently in the administration of justice.



Appendices

Appendix 1: Practice directions

The following Practice directions were issued by the Chief Judge during the year and are available on the court's website www.courts.qld.gov.au.

District Court

Number	Description	Date issued
2007/5	Costs Assessment: Interim Arrangements	11 July 2007
2007/6	Private Audio-Recording of Proceedings: District Court	24 August 2007
2008/1	Taking Evidence by Telephone and Video Link	18 March 2008

Appendix 2: District Court Associates – as at 30 June 2008

Simon Seguna, Associate to Her Honour Chief Judge PM Wolfe

Malcolm Jorgensen, Associate to His Honour Senior Judge NA Skoien

Samuel McLaughlin, Associate to His Honour Senior Judge G Trafford-Walker

Chris Wycherley, Associate to His Honour Judge W Howell

Samantha Watkins, Associate to His Honour Judge KS Dodds (Maroochydore)

Kristy Shore, Associate to His Honour Judge GS Forno QC retired 25 February 2008

Jodie Lewry, Associate to His Honour Judge HWH Botting

Liam McMahon, Associate to His Honour Judge MJ Noud

Jennifer O'Grady, Associate to His Honour Judge KJ O'Brien

Christopher Tyack, Associate to His Honour Judge PD Robin QC

Michelle Hanger, Associate to His Honour Judge JE Newton (Southport)

Russell Hood, Associate to Her Honour Judge H O'Sullivan

Spencer Browne, Associate to His Honour Judge PJ White (Cairns) retired 31 May 2008

Vince Knox, Associate to His Honour Judge PG Nase retired 24 April 2008

Kristy Crabb, Associate to His Honour Judge JM Robertson (Maroochydore)

Simone Casey, Associate to His Honour Judge MW Forde
Regina Hopson, Associate to His Honour Judge CJL Brabazon QC
Scott Malcolmson, Associate to His Honour Judge DJ McGill SC
Amy Francis, Associate to His Honour Judge CF Wall QC (Southport)
John Newman, Associate to His Honour Judge RD Pack (Townsville)
Amanda Parke, Associate to His Honour Judge N Samios
Gordon Roberts, Associate to His Honour Judge GT Britton SC (Rockhampton)
Katrina Potter, Associate to Her Honour Judge D Richards (Ipswich)
Melissa Ford, Associate to Her Honour Judge S Bradley (Cairns)
Shane Pierce, Associate to His Honour Judge MJ Shanahan
Alexandra Lees, Associate to Her Honour Judge JM Dick SC
Scott Sellwood, Associate to His Honour Judge AM Wilson SC
Frances Stephenson, Associate to His Honour Judge ME Rackemann
Sean Rowe, Associate to His Honour Judge WH Tutt
Nicholas Hanly, Associate to His Honour Judge MJ Griffin SC
Michael Bonasia, Associate to Her Honour Judge JA Rylie
Jane Guerlin, Associate to His Honour Judge IFM Dearden (Beenleigh)
Taya Hunt, Associate to Her Honour Judge FY Kingham (Southport)
Nathan Smith, Associate to His Honour Judge SG Durward SC (Townsville)
Christopher Tam, Associate to His Honour Judge AJ Rafter SC
Patrick Doyle, Associate to His Honour Judge TD Martin SC
Justin Hine, Associate to His Honour Judge DG Searles
Dearne Kraschnefski, Associate to His Honour Judge GJ Koppenol (Ipswich)
Malcolm Jorgensen, Associate to His Honour Judge DC Andrews SC
Tran La, Associate to Her Honour Judge LJ Clare SC
Spencer Browne, Associate to His Honour Judge WG Everson



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