



QUEENSLAND
COURTS

District Court of Queensland

Annual Report 2010–2011



**DISTRICT COURT OF
QUEENSLAND**
CHAMBERS OF THE CHIEF JUDGE

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28 October 2011

The Honourable Paul Lucas MP
Attorney-General and Minister for Local Government
and Special Minister of State
Level 12
100 George Street
Brisbane Qld 4000

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 2011.

Yours sincerely,

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

Chief Judge PM Wolfe

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Chief Judge's overview



Chief Judge Patricia Wolfe

Introduction

This is the court's 15th annual report, dealing with the organization, operation and performance of the District Court of Queensland in 2010-11. Its workload means that this court is one of the largest, and busiest, of the higher courts in Australia.

The devastating floods throughout Queensland and the cyclones in Far North Queensland in January had an immediate effect upon the operation of the court at Brisbane, Cairns, Townsville, Mackay, Rockhampton, Ipswich and Hervey Bay.

Nonetheless when the waters receded, the valiant efforts of the judges and registry staff ensured that the lists, the litigants, witnesses and jurors were soon accommodated.

Throughout the 2010-11 year the court lacked its full complement of 38 judges with one judge occupied with QCAT duties throughout the year. Judge Dick SC's absence through her appointment on 10 February 2011 as an acting Justice of the Supreme Court was covered by Bradley Farr SC's appointment as an acting Judge of the District Court on 18 February 2011.

A significant impact upon the court's rates of disposition resulted from the growing complexity of criminal matters giving rise to the increase in the length and number of criminal trials. This was matched by the increasing complexity of civil matters.

Unfortunately the amount of service available from the State Reporting Bureau (SRB) hampered, in some respects, the operation of the court. The provision of transcripts has been delayed, causing unnecessary problems for the litigants, lawyers and judges.

Judges of the District Court also constitute the Planning and Environment Court and the Childrens Court, and the court's resources are deployed to a considerable extent in discharging their functions.

Depending upon the lists, each year the judges sit at about 40 centres throughout Queensland— in Brisbane, the seven regional centres, 24 other centres where jury trials can be held, and the 15 remote or Aboriginal and Torres Strait Islander communities, including those in the Gulf, Cape and Torres Strait communities.

Judge Shanahan, the President of the Childrens Court of Queensland, and Judge Rackemann who has special responsibility on the Planning and Environment Court, have prepared their respective reports on the operations for these entities during the year under review.

Performance

The court's performance and workload are reflected in the statistics set out in this report. The court's statistical information accords with the method of reporting adopted by the Commonwealth Productivity Commission's Annual Report on Government Services.

The *Civil and Criminal Jurisdiction Reform and Modernisation Amendment Bill 2010* had the effect of increasing the court's criminal jurisdiction from 1 September 2010 and its civil jurisdiction from 1 November 2010.

The court has responsibility for indictable criminal offences which are normally heard by a judge and jury, but on occasions by a judge alone. It deals with most of the serious criminal cases, in practical terms with almost all serious offences except murder, manslaughter or the most serious drug offences.

Disposition of Caseload

The court's performance and workload in 2010-11 has been creditable, but the statistics demonstrate that the court was under some stress resulting in a reduction in circuits through an insufficiency of judicial and financial resources. The court could not afford to send enough judges to the places where assistance is needed.

The court employs judicial case management as does its adjuncts, the Planning and Environment Court and the Childrens Court of Queensland.

Criminal

In the criminal jurisdiction, the workload is measured by the number of defendants. These statistics do not include Childrens Court matters, affected child witness hearings or pre-trial hearings.

With the increase in jurisdiction, the court now deals with drug offences attracting a maximum penalty of 20 years and more Commonwealth offences such as those arising under the *Migration Act 1958* (the "people smuggling" cases). Unfortunately there has been no special financial assistance from the Commonwealth for these matters.

The immediate effect of the increase in jurisdiction (and the increase to the Magistrates Court's criminal jurisdiction whereby that court now deals with many of the less serious matters formerly heard in this court), resulted in this court achieving a clearance rate at state level of over 100 per cent in 8 of 12 months of 2010-11. By the end of the year under report the clearance rate was 104.4 per cent (96.6 per cent last year). The percentage of defendants with cases greater than 24 months old decreased from 143 matters to 102 matters or from 6.3 per cent to 5.1 per cent. Also, the number of active pending matters declined steadily throughout the year, with 1,993 at 30 June 2011, a considerable reduction compared with the previous year (2,271).

However, these figures mask the complexity of the court's criminal workload. About 80 per cent of trials on indictment were held in this court.

The court deals with many complex and lengthy fraud trials. It now deals with those charged with offences under section 232A of the *Migration Act 1958* (Commonwealth) (the "people smuggling" cases) but the trials of these matters are long and expensive

and will absorb a significant proportion of the judicial resources available for criminal trials. Matters involving child witnesses, and most matters involving offences of a sexual nature involve child witnesses, are complex and time consuming.

The number of matters disposed of by trial and verdict, rather than by sentence on a guilty plea or by nolle prosequi, continues to increase. This year 548 matters were disposed of by trial and verdict, 4,082 by sentence on guilty plea and 946 by nolle prosequi compared with 537 trials, 4,082 sentences and 1,046 nolle prosequi last year. In 2007-08, there were only 460 matters disposed of by trial and verdict, 4,749 sentences on guilty plea and 1,233 nolle prosequi. Further, owing to the increased complexity of matters now before the court, trials (and indeed sentences) are taking appreciably longer.

During the year 5,609 new cases (6,207 last year) were presented to the court and the court ended the year having disposed of 5,854 matters (5,996 last year) giving a 104.4 per cent clearance rate (96.6 per cent last year). Of the outstanding cases, 18.9 per cent were more than 12 months old from the date of presentation of the indictment, and 5.1 per cent were more than 24 months old.

In Brisbane, 1,963 new cases (2,286 last year) were presented during the year and the court ended the year with 605 outstanding criminal cases (854 last year) having disposed of 2,198 matters (2,259 last year) or a 112 per cent clearance rate. Of the outstanding cases, 16.4 per cent were more than 12 months old from the date of presentation of indictment, and 6.4 per cent were more than 24 months old.

In the regional centres where judges are based - Beenleigh, Cairns, Ipswich, Maroochydore, Rockhampton, Southport and Townsville - a total of 2,764 new cases were presented during the year and the regional courts ended the year having disposed in all centres 2,572, with 1,109 outstanding criminal cases.

At the circuit centres, a total of 882 new cases were presented during the year and the circuit centres

ended the year with the court having disposed of 1,084 criminal matters in those places, with 279 matters outstanding at the end of the year.

Affected child witnesses

Many children are required to give evidence in matters involving charges of sexual or violence offences. During 2010-11 the judges ordered 244 pre-recordings (involving 444 children) for the District Court or the Childrens Court. Not all of these pre-recordings take place as, not infrequently, defendants plead guilty soon after the order is made. During 2010-11, the evidence of 315 children was pre-recorded before a judge for future trials in the District Court or the Childrens Court. However not all matters then go on to trial as some defendants plead guilty after the pre-recording takes place or the Crown enters a nolle prosequi.

The evidence of an affected child witness must be pre-recorded from a remote witness room soon after the indictment is presented, and care taken to ensure that all pre-trial hearings are completed before that occurs. In Brisbane the pre-recording usually took place within 6-8 weeks of the presentation of the indictment. The child's evidence is later played to the jury at the trial which usually takes place some months after the pre-recording. To preserve their integrity and security, all DVDs or videotapes, no matter where recorded in Queensland, are kept by the Principal Registry in Brisbane. The court's technological and IT administrators responded promptly in replacing or mending defective equipment. Unfortunately such dedication and expertise is not mirrored in many of the tapes of a child's earlier police interview, which are prepared outside the court, but are played to juries pursuant to s93A of the *Evidence Act 1977*.

Civil

The statistics based on numbers of civil filings in various centres do not reveal the growth in the court's civil workload as a result of the *Civil and Criminal Jurisdiction Reform and Modernisation Amendment Act 2010*.

Last year's statistics included a large number of criminal compensation applications filed prior to the expiry of the court-administered criminal compensation scheme under the *Criminal Offence Victims Act 1995* and the *Criminal Code*. As a result of the *Victims of Crime Assistance Act 2009* the court no longer deals with these applications.

However, the increases in the number of actions for recovery or for possession of land, and for damages for personal injury, give a truer picture of the civil workload. In 2008-09 approximately 16 per cent of recovery actions filed in the higher courts were filed in the District Court. Of those filed in the last seven months of 2010-11, 73 per cent (855 out of 1178) were filed in the District Court. Although civil lodgments rose by only 102 or 1.9 per cent throughout the state, civil lodgments in Brisbane increased by 26 per cent during the 2010-11 year.

During 2010-11 there were 5,415 new civil cases lodged in the court (5,313 last year), with 5,048 matters finalised (5,006 last year). The number of active pending matters in 2010-11 increased by 352 matters or 7.9 per cent, with 4,817 pending active matters (4,465 last year). The civil clearance rate was 93.22 per cent. The number of active cases older than 12 months was 20.47 per cent this year (19.6 per cent last year) and the number of active cases older than 24 months was 3.9 per cent (3.8 per cent last year).

In Brisbane there were 3,770 new cases with 3,020 cases disposed of, and a clearance rate of 80.11 per cent. In Brisbane, 17 per cent of active cases were older than 12 months and the number of active cases older than 24 months was 3.62 per cent. Most of the more complex matters were lodged in Brisbane.

The court's civil clearance rate overall failed to reach 100 per cent in any month after November 2010. This may be attributed to the increase in claims lodged following the variation to jurisdictional monetary limits from 1 November 2010.

As can be seen from the table below, the increase in this court's monetary jurisdiction was reflected in a sharp increase in the number of certain types of new matters.

Approximately 85 per cent of such matters were lodged in Brisbane in 2010-11, a considerable increase from the 50 per cent in earlier years.

File Nature	2009-10	2010-11	Difference
Criminal Compensation	1,307	1	-1,306
Money Owing	1,350	1,106	-244
Personal Injury - Master and Servant	135	321	186
Personal Injury - Motor Vehicle	315	492	177
Recovery of Possession of Property	94	311	217
Recovery/Delivery of Possession of Land (Claim)	198	939	741

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.

District Court Commercial List

A Commercial List was established, in October 2010 pursuant to Practice Direction no 3 of 2010 in view of the court's monetary jurisdiction increasing to \$750,000 from 1 November 2010. The Commercial List judges are Judge Robin QC, Judge McGill SC, Judge Andrews SC and Judge Dorney QC.

Appeals

During the year the court heard all appeals from the Magistrates Courts, as well as appeals from the Commercial and Consumer Tribunal and other tribunals and statutory bodies.

Criminal appeals

During the year, 868 criminal appeals (399 last year) were lodged in the court, with 334 cases finalised this year (488 last year), ending the year with 755 active cases and a 38.48 per cent clearance rate. The percentage of active cases older than 12 months has

decreased from 13.9 per cent to 7.28 per cent, with those older than 24 months, 0.13 per cent this year.

In Brisbane there was a decrease in the number of criminal appeals lodged, with 146 new appeals this year (174 last year), disposing of 145 criminal appeals, and ending the year with 85 active cases and a clearance rate of 99.32 per cent. The percentage of active cases older than 12 months was 10.59 per cent and those older than 24 months, 1.18 per cent.

Civil appeals

During the year, 52 civil appeals were lodged in the court, and 68 cases finalised giving a clearance rate of 130.77 per cent and ending the year with 51 active cases. The percentage of active cases older than 12 months has increased from 24.6 per cent to 43.14 per cent, and those older than 24 months, from 2.9 per cent last year, to 3.92 per cent this year.

In Brisbane the court disposed of 25 civil appeals and ended the year with 13 active cases, resulting in a clearance rate of 125 per cent, with 30.77 per cent older than 12 months and 7.69 per cent older than 24 months.

Planning and Environment Court

The Planning and Environment Court is structured as a de facto division of the District Court.

During the year the court celebrated the 45th anniversary of the Planning and Environment Court which is the oldest court of its type in Australia. On 20 January 1966, Judge Lindsay Byth was commissioned a District Court judge as well as being appointed to constitute the Local Government Court (the name by which the Planning and Environment Court was then known).

As the first and senior Local Government Court judge, Judge Byth was the pioneer of Australian urban planning, development and environmental law. Through his vision and example the court has achieved international recognition for its service to all sectors

of the community, with its efficiency, leading case management, and alternative dispute resolution.

This court is the only Queensland court whose files are open to inspection for any litigant, lawyer or member of the public through eFiles, a new online service which makes court documents available to everyone 24 hours a day, seven days a week. All active Planning and Environment Court files originating in Brisbane are accessible through the Queensland Courts website eCourts facility: <http://www.courts.qld.gov.au/information-for-lawyers/search-civil-files-ecourts>.

Last year the court received high international recognition for its achievements. Noting the efficiency of its unique structure as an adjunct of the District Court, an authoritative and comprehensive survey of worldwide environmentalist courts and tribunals¹, found that this court is a world leader in individual case management. The survey emphasised especially the problem solving approach of the Planning and Environment Court judges; the court's alternative dispute resolution process; its efficient case management and management of expert evidence; its regional service and the commitment of its judges to ongoing review and reform.

Overall, the current adverse financial climate was reflected in a further decrease in the number of lodgments this year. State-wide 637 new cases were filed this year down from 679 last year.

However the court achieved a clearance rate of 124.49 per cent (compared with 100.1 per cent last year) ending the year with 676 outstanding cases and having disposed of 793 matters. Of the outstanding cases, 42.01 per cent were more than 12 months old (from date of filing), and 19.08 per cent were more than 24 months old. Some cases may take this long due to the complexity of some matters and the number of parties involved in the hearings.

In Brisbane, where the longer cases are heard, the court ended the year with 506 outstanding cases having disposed of 636 matters, achieving a clearance rate of

¹ "Greening Justice – creating and improving environmental courts and tribunals", Professor George Pring and Catherine Pring

130.06 per cent. Of the outstanding cases, 41.50 per cent were more than 12 months old and 18.38 per cent were more than 24 months old. The court in Brisbane carries 75 per cent of the planning workload.

The court's free ADR service has been recognised internationally as providing visionary ADR access to justice. Approximately 90 per cent of cases are finalised without proceeding to a full hearing. In 2010-11, the court's ADR Registrar, Mr John Taylor, who convened and chaired without prejudice conferences, meetings of experts and management conferences, conducted 246 conferences. Of those conferences, 166 were completed, and of those 72 per cent of matters were finally resolved. He held these conferences in Brisbane, Southport, Maroochydore, Cairns, Townsville, Longreach, Bundaberg, Emerald and Toowoomba.

Childrens Court of Queensland

The Childrens Court of Queensland is a specialist jurisdiction established under the *Childrens Court Act 1992*. 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.

Judge Shanahan became the president of the Childrens Court in February 2011 upon the then president, Judge Dick SC's appointment as an Acting Justice of the Supreme Court. Currently there are 25 other judges who also hold commissions under this Act.

Regional centres

The lists in the seven regional centres at Cairns, Townsville, Rockhampton, Maroochydore, Southport, Ipswich and Beenleigh have been well maintained by the 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 efficient allocation of judicial resources through circuit allocations improves the overall functioning of the court and, by reference to the efficiency and quality of its output, produces more consistent decision-making.

Indigenous and remote circuits

The judges, as in previous years, visited the remote Aboriginal and Islander communities on circuit. Judges sat in the Gulf (Mornington Island, Doomadgee and Normanton), the Cape (Weipa/Napranum, Kowanyama, Aurukun, Pormpuraaw and Lockhart River), Thursday Island, Bamaga, Yarrabah, Cooktown, Palm Island, and Woorabinda and in Murgon to deal with Cherbourg matters.

Overall

The court's performance, in view of its workload during 2010-11, has been creditable.

Practice Directions

During the year, three District Court Practice Directions were issued, and four for the Planning and Environment Court.

New Legislation

Significant changes to the court's jurisdiction were effected by the *Civil and Criminal Jurisdiction Reform and Modernisation Amendment Act 2010*.

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 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 and Justice Margaret Wilson, and from the District Court, Judge Robin QC and Judge McGill SC. The committee met at least weekly out of ordinary court hours.

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. During the year under report, Judge Shanahan, Judge Dick SC, Judge Rafter SC and Judge Martin SC were its District Court members. The committee works over extended periods updating and adding to this essential and important work.

The metropolitan Supreme and District courthouse

The judges' metropolitan courthouse building committee, which includes Judge Griffin SC, Judge Andrews SC and the Chief Judge, worked throughout the year facilitating appropriate accommodation in the new courthouse for all those involved in the justice system, be they litigants, supporters, staff, lawyers or judges.

During the year they represented the judges of this court in the consultations with the architects, builder and departmental officers.

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 (24 weeks), and in civil, planning, applications and appeals, (nine weeks), including sittings in the regional centres of Cairns, Maroochydhore, Southport and Townsville.

During the year I met with the leaders and representatives of the many organizations principally involved in the justice system, such as the Queensland Bar Association, the Queensland Law Society, the Director of Public Prosecutions, Legal Aid Queensland, the Corrective Services Commissioner, law school academics, Professor Geraldine Mackenzie, chair of the Sentencing Advisory Council, the Hon Philip Cummins, president of Court Network for Humanity, and the president and committee of Protect All Children Today (PACT) and representatives of the College of Law Practical Legal Training (PLT) Program to advance the implementation of a specific associates' course, designed to enable associates to undertake the PLT for admission to the legal profession.

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 and had regular meetings with leaders of the legal profession and justice system.

I attended meetings of the Council of Chief Judges, projects and meetings involved in the organization of the District Court and its registries, meetings of the Supreme Court Library committee, the Focus Group,

the Brisbane Supreme and District Courts metropolitan courthouse committee, the 2011 Biennial conference of District and County Court Judges of Australia, and other conferences, seminars and forums which I attended in Queensland and elsewhere.

Continuing judicial professional development

The judges held their 16th consecutive Annual Seminar on 8-10 August 2010. The conference provides a forum for professional discussion and an enhancement of collegiality, allowing the singular opportunity for the judges, 14 of whom were based outside Brisbane, to meet as a body for professional discussion. Speakers at the 16th Annual Conference included Professor Roly Sussex on Assessing Unhelpful or Evasive Answers; Emeritus Professor David Brown on the Limited Benefits of Imprisonment (the emergence of justice reinvestment policies); Detective A/Inspector Denzil Clark and Mr Paul Griffiths on QPS practices for classifying child exploitation material, and Mr Roger Derrington SC and Mr Peter Davis SC on the implementation of the District Court commercial list and on the 2010 changes to the criminal justice system, respectively.

During the year many of the judges spoke or presented papers at many important professional meetings and conferences, details of which appear in this report, as well as presiding over moots and speaking to schools and community groups. Judge John Robertson developed and implemented the programme for the 12th International Criminal Law Congress 2010, *A World without Boundaries – Crime in the 21st Century*.

The Standard for Judicial Professional Development in Australia was adopted and confirmed by the judges of this court soon after its adoption by the Council of Chief Judges. Details of the judges' judicial professional development involving overseas studies, seminars, programmes or conferences are published annually on the court website. Also, the court calendar is structured so that 2.5 days per annum is set aside for judicial professional development in banc. This time is especially important for the court – it is the only time

that the court's 38 judges are together, as 14 of the judges have permanent chambers in various parts of Queensland outside Brisbane.

Indigenous students mentoring scheme

During the year a mentoring scheme for Indigenous students, from senior secondary schools and tertiary institutions was established by the Bar Association of Queensland with the support of the judges. Some of the judges, including Judge Shanahan, Judge Kingham, Judge Martin SC, Judge Searles and Judge Jones have become mentors, in conjunction with the barristers, to Indigenous law students or high school students in order to encourage them to complete tertiary studies and to consider a career in the law.

Associates' appointments

Associates are now appointed by the Chief Judge pursuant to s36(2) of the *District Court of Queensland Act 1967*, who may remove or suspend associates by virtue of the *Acts Interpretation Act 1954*, s25. Associates are appointed as deputy sheriffs by the Chief Executive of the Department of Justice and Attorney-General (s213 of the *Supreme Court Act 1995*). This responsibility was delegated to the Director of Courts (now Executive Director of the Supreme District and Land Courts Service) pursuant to s103 of the *Public Service Act 2008* (see also s27A of the *Acts Interpretation Act 1954*). Associates are appointed as deputy sheriffs for only as long as they hold the office of associate.

Office of the Executive Director of the Supreme District and Land Courts Service

The institution of this role and responsibility, which includes that formerly known as the Office of the Director of Courts, marked a great improvement this year in the coordination and oversight of registry administration and the provision of judicial support services for these courts. The creation of the Supreme, District and Land Courts Service followed the 2010 review of the

governance and structure of registries across several major jurisdictions, including the District Court.

Ms Julie Steel is now the Executive Director and had acted in the position throughout 2010-11. She is also the Principal Registrar of the Supreme and District Courts and the registrar of the Planning and Environment Court and the Childrens Court of Queensland, and is supported by executive, administrative and registry staff throughout Queensland.

Access to the Court

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. Court Network now operates in Cairns and Townsville. The volunteers may be found in the courtrooms and elsewhere throughout the courthouse.

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

The Queensland Public Law Clearing House (QPILCH) provides 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. Judge Robin QC and Judge Rackemann met with law students volunteering for QPILCH in October 2010.

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.

International aspects

On 25 August 2010, Judge Wolfgang Kerscher of the District Court of Deggendorf, Bavaria, Germany, visited the Supreme and District Courts at Brisbane. Judge Robin QC provided Judge Kerscher with a tour of the Court of Appeal, Supreme and District Courts, as well as the Supreme Court Library, the Lucinda display, display cabinets, rare books precinct and the Banco Court. He and Judge Robin also discussed common issues including the effectiveness of the internal court file database management systems.

On 22 November 2010, Judge Young-hwa Moon the Presiding Judge from the Seoul Central District Court, led a group of Korean judges on a tour of the District Court at Brisbane. Judge O'Brien met with the judges as did Judge Bradley who explained the process of a criminal trial in the District Court of Queensland. The judges also observed the trial over which Judge Bradley presided.

Judicial appointments

On 10 September 2010 John Richard Baulch SC was sworn in as a Judge of the District Court of Queensland.

On 10 February 2011 Judge Julie Dick SC was appointed an Acting Justice of the Supreme Court for six months.

On 18 February 2011 Bradley Wayne Farr SC was sworn in as an Acting Judge of the District Court of Queensland.

On 13 May 2011 Gary Patrick Long SC was sworn in as a Judge of the District Court of Queensland.

Judicial retirements

Judge Keith Stuart Dodds, who was appointed to the District Court on 13 March 1986, retired on 17 April 2011.

Recognition

Judge Leonard Lindsay Byth, a judge of the court and of the Local Government Court from 20 January 1966 to 15 February 1988, and chairman of the court from 5 September 1983 to 15 February 1988, died on 22 March 2011.

Judge Ian McGregor Wylie QC a judge of the court from 11 November 1985 to 10 January 2007, died on 13 June 2011.

Conclusion

I thank the judges, officers of the registry and the court's administrative staff for their dedication in carrying out the work of the court during the year under review.

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 Judge Kerry John O'Brien
	His Honour Judge Keith Stuart Dodds (Maroochydore) (until 17 April 2011)
	His Honour Judge Hugh Wilfrid Harry Botting
	His Honour Judge Michael John Noud
	His Honour Judge Philip David Robin QC
	His Honour Judge John Elwell Newton (Southport)
	His Honour Judge John Mervyn Robertson (Maroochydore)
	His Honour Judge Douglas John McGill SC
	His Honour Judge Clive Frederick Wall RFD QC (Southport)
	His Honour Judge Nicholas Samios
	His Honour Judge Grant Thomas Britton SC (Rockhampton)
	Her Honour Judge Deborah Richards (Ipswich)
	Her Honour Judge Sarah Bradley (Ipswich)
	His Honour Judge Michael John Shanahan
	Her Honour Judge Julie Maree Dick SC (until 9 February 2011)
	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
	His Honour Judge David Graham Searles
	His Honour Judge Gregory John Koppenol (Ipswich)
	His Honour Judge David Charles Andrews SC

Judges	Her Honour Judge Leanne Joy Clare SC
	His Honour Judge William Garth Everson (Cairns)
	His Honour Judge Brian Gerard Devereaux SC
	Her Honour Judge Katherine Mary McGinness (Southport)
	His Honour Judge Kiernan Damian Dorney QC
	His Honour Judge Richard Stephen Jones
	His Honour Judge Brian Anthony Harrison (Cairns)
	His Honour Judge David Andrew Reid
	His Honour Judge John Richard Baulch SC (Townsville) (from 10 September 2010)
	His Honour Judge Gary Patrick Long SC (Maroochydore) (from 13 May 2011)
His Honour Acting Judge Bradley Wayne Farr SC (from 18 February 2011)	

Regional, planning and children's judges

Regional judges

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

Maroochydore	Judge Dodds (until 17 April 2011)
	Judge Robertson
	Judge Long SC (from 13 May 2011)
Southport	Judge Newton
	Judge Wall QC
	Judge Kingham (on QCAT duties since August 2009)
	Judge McGinness
Townsville	Judge Durward SC
	Judge Baulch SC (from 10 September 2010)
Rockhampton	Judge Britton SC
Ipswich	Judge Richards
	Judge Bradley
	Judge Koppenol
Cairns	Judge Everson
	Judge Harrison
Beenleigh	Judge Dearden

Planning and Environment Court

The Planning and Environment Court judges for 2010-11 are listed below:

Chief Judge Wolfe	Judge Rafter SC
Judge Dodds (until 17 April 2011)	Judge Martin SC
Judge Robin QC	Judge Searles
Judge Newton	Judge Andrews SC
Judge Robertson	Judge Everson
Judge Wall QC	Judge Dorney QC
Judge Britton SC	Judge Jones
Judge Richards	Judge Harrison
Judge Rackemann	Judge Reid
Judge Griffin SC	Judge Baulch SC
Judge Kingham	Judge Long SC
Judge Durward SC	

Childrens Court of Queensland

The Childrens Court judges during 2010-11 are listed below:

Judge Shanahan President (from 10 February 2011)	Judge Kingham
Judge Dick SC President (to 9 February 2011)	Judge Durward SC
Judge O'Brien	Judge Rafter SC
Judge Newton	Judge Martin SC
Judge Robertson	Judge Clare SC
Judge Wall QC	Judge Everson
Judge Samios	Judge Devereaux SC
Judge Britton SC	Judge McGinness
Judge Richards	Judge Harrison
Judge Bradley	Judge Reid
Judge Irwin	Judge Long SC
Judge Tutt	Acting Judge Farr SC
Judge Griffin SC	
Judge Dearden	



Judges of the District Court of Queensland

The court

The work of the District Court

The District Court hears and determines appeals and resolves matters commenced by indictment in criminal cases, claim or originating application in civil proceedings, by trial, hearing or consensus. The Chief Judge is responsible for the administration of the court.

The District Court is the principal court in Queensland for trials of persons charged with serious criminal offences. Criminal trials are usually heard with a jury. Civil matters are normally heard by a single judge. The court exercises equitable and other jurisdiction within its civil monetary limit. 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. Many of the judges also sit as Planning and Environment Court judges and Childrens Court judges.

Some of the judges 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; the Rules Committee and the District Court judges' committees.

Organization of work

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

- Criminal
- Civil
- Appellate
- The Planning and Environment Court
- Childrens Court of Queensland

Criminal jurisdiction

In practice the court deals with all indictable matters other than homicides and the most serious drug offences. Almost 80 per cent of all indictments are presented in the District Court. The court regularly conducts trials involving about 24 offences attracting a maximum penalty of life imprisonment. The court deals with offences under Commonwealth and state drug laws as well as offences under the *Corporations Law*, the Commonwealth *Migration Act 1958* and against federal and state revenue laws. These may involve many millions of dollars.

During the year the Chief Judge and Judge O'Brien, with assistance from other judges, mainly Judge Shanahan and Judge Martin 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 and Judge Robertson had special responsibility for the Bundaberg, Gympie and Kingaroy lists, Judge Botting for Maryborough and Hervey Bay, Judge Dick SC for the Mackay lists during 2010 and Judge Dearden for Mount Isa.

Many of the cases are reviewed or managed by the judge well before the trial date, to ensure that the prosecution has provided the defence with all witnesses' statements and particulars and that the defence has considered whether a s590AA 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 prosequi*.

Disposal of work

In the criminal jurisdiction, the workload is measured by the number of defendants. These statistics do not include Childrens Court matters, affected child witness hearings, pre-trial hearings or criminal appeals to the

District Court. Some cases may take longer due to appeals and rehearings.

During the year 5,609 new cases were presented to the court and the court ended the year having disposed of 5,854 cases leaving 1993 outstanding cases (a 104.4 per cent clearance rate). Of the outstanding cases, 18.9 per cent were more than 12 months old from the date of presentation of the indictment, and 5.1 per cent were more than 24 months old. Some cases take longer due to appeals and rehearings.

In Brisbane, 1,963 new cases were presented during the year and the court ended the year with 605 outstanding cases having disposed of 2,198 matters (a 112.0 per cent clearance rate). Of the outstanding cases, 16.4 per cent were more than 12 months old from the date of presentation of indictment, and 6.4 per cent were more than 24 months old.

In the regional centres where judges are based - Beenleigh, Cairns, Ipswich, Maroochydore, Rockhampton, Southport and Townsville – a total of 2,764 new cases were presented during the year and the regional courts ended the year having disposed in all centres 2,572, with 1,109 outstanding cases.

At Beenleigh, the court ended the year with 174 outstanding matters, having disposed of 518 matters (a 113.1 per cent clearance rate), with 19 per cent of the outstanding cases more than 12 months old and 5.2 per cent more than 24 months old.

At Cairns, the court ended the year with 263 outstanding criminal cases having disposed of 468 matters (a 91.1 per cent clearance rate) with 20.5 per cent of the outstanding cases more than 12 months old and 5.3 per cent more than 24 months old.

Ipswich had 112 outstanding cases, having disposed of 434 criminal matters (a 95.8 per cent clearance rate) leaving 11.6 per cent of the active matters more than 12 months old and none more than 24 months old.

Maroochydore had 93 outstanding cases having disposed of 220 criminal matters (a 67.9 per cent clearance rate), with 15.1 per cent of the outstanding

cases more than 12 months old and 3.2 per cent more than 24 months old.

Rockhampton had 132 outstanding cases having disposed of 178 criminal matters (a 77.1 per cent clearance rate), 25.8 per cent were more than 12 months old and 0.8 per cent more than 24 months old.

Southport had 192 outstanding cases having disposed of 415 criminal matters (a 113.1 per cent clearance rate) with 32.8 per cent of the outstanding cases more than 12 months old and 9.4 per cent more than 24 months old.

Townsville had 143 outstanding cases having disposed of 339 criminal matters (a 81.3 per cent clearance rate) with 9.1 per cent of the outstanding cases more than 12 months old and 0.7 per cent more than 24 months old.

At the circuit centres, a total of 882 new cases were presented during the year and the circuit centres ended the year with the court having disposed of 1,084 criminal matters in those places, with 279 matters outstanding at the end of the year.

Table 1: The activity of the District Court criminal list

	Number of Defendants			Clearance	Backlog Indicator	
	Lodged	Finalised	Active	Rate	% > 12 mths	% > 24 mths
Brisbane	1,963	2,198	605	112.0%	16.4%	6.4%
Regional centres						
Beenleigh	458	518	174	113.1%	19.0%	5.2%
Cairns	514	468	263	91.1%	20.5%	5.3%
Ipswich	453	434	112	95.8%	11.6%	0.0%
Maroochydore	324	220	93	67.9%	15.1%	3.2%
Rockhampton	231	178	132	77.1%	25.8%	0.8%
Southport	367	415	192	113.1%	32.8%	9.4%
Townsville	417	339	143	81.3%	9.1%	0.7%
Total for Brisbane and regional centres	4,727	4,770	1,714			
Circuit centres						
Bowen	11	16	7	145.5%	0.0%	0.0%
Bundaberg	44	105	39	238.6%	23.1%	7.7%
Charleville	23	27	14	117.4%	50.0%	7.1%
Charters Towers	4	3	0	75.0%	0.0%	0.0%
Clermont	0	0	0	0.0%	0.0%	0.0%
Cloncurry	0	0	0	0.0%	0.0%	0.0%
Cunnamulla	0	0	5	0.0%	0.0%	0.0%
Dalby	18	20	7	111.1%	42.9%	14.3%
Emerald	14	22	7	157.1%	28.6%	0.0%
Gladstone	31	41	17	132.3%	5.9%	0.0%
Goondiwindi	11	13	0	118.2%	0.0%	0.0%
Gympie	30	35	11	116.7%	36.4%	0.0%
Hervey Bay	116	135	29	116.4%	20.7%	6.9%
Hughenden	0	0	0	0.0%	0.0%	0.0%
Innisfail	19	34	5	178.9%	20.0%	0.0%
Kingaroy	27	44	3	163.0%	66.7%	66.7%
Longreach	4	7	3	175.0%	0.0%	0.0%
Mackay	111	114	23	102.7%	8.7%	8.7%
Maryborough	81	113	10	139.5%	60.0%	30.0%
Mt Isa	111	121	43	109.0%	7.0%	7.0%

	Number of Defendants			Clearance	Backlog Indicator	
	Lodged	Finalised	Active	Rate	% > 12 mths	% > 24 mths
Roma	8	12	2	150.0%	0.0%	0.0%
Stanthorpe	3	5	0	166.7%	0.0%	0.0%
Toowoomba	187	177	50	94.7%	12.0%	0.0%
Warwick	29	40	4	137.9%	25.0%	0.0%
Total for circuit centres	882	1,084	279			
State total	5,609	5,854	1,993	104.4%	18.9%	5.1%

(1) Data extracted from QWIC for reporting purposes on 22/07/11

(2) Defendant: As defined by the RoGS rule: A 'defendant' is defined as 'one defendant; with one or more charges; and with all charges having the same date of registration'. Defendants with outstanding bench warrants and defendants with secondary charges such as breaches of court orders are excluded. Also excluded are defendants who have been committed to the District court and are awaiting presentation of indictment.

(3) Clearance rate - finalisations/lodgments

(4) Backlog indicator - the number of active defendants with proceedings older than the specified time.

Civil jurisdiction

The ambit of the District Court's civil jurisdiction is described in s68 of the *District Court of Queensland Act 1967*, and many of its powers in s69. 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 \$750,000
- 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*
- construction of deeds and other documents.

Some matters are disposed of by judges dealing with interlocutory applications in actions commenced by

claims or originating applications. The more complex matters are case managed by the judges, leading to their early disposition.

The Report on Government Services (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 originating applications.

A civil case is considered active if it has not been finalised by adjudication, transfer to another court, and 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.

Table 2: Clearance rate in civil cases

	RoGS Non Appeal Cases			Clearance Rate *	Backlog Indicator From filing date	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	3,770	3,020	3,235	80.1%	17.0%	3.6%
State Total	5,415	5,048	4,817	93.2%	20.5%	3.9%

*Clearance rate - finalisations/lodgments

Data extracted for reporting purposes on 25/07/11

These statistics do not reflect the growth in the court’s civil workload which has resulted from the increase in jurisdiction brought about by the *Civil and Criminal Jurisdiction Reform and Modernisation Amendment Act 2010*.

Commercial List

The District Commercial List was established, in October 2010, pursuant to Practice Direction no 3 of 2010 in view of the increase in the court’s monetary jurisdiction to \$750,000 from 1 November 2010. The Commercial List judges are Judge Robin QC, Judge McGill SC, Judge Andrews SC and Judge Dorney QC.

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 that 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.

Last year the statistics reflected the spike in criminal compensation applications filed before the deadline imposed by the *Victims of Crime Assistance Act 2009*, pursuant to which the court no longer deals with criminal compensation claims.

Appellate jurisdiction

During the year this court heard and determined all criminal and civil appeals from the Magistrates Court.

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 no 5 of 2001.

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

Table 3: Clearance rate in criminal and civil appeals

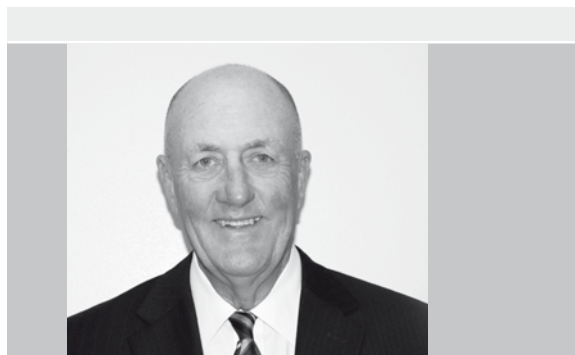
	RoGS Appeal			Clearance Rate *	Backlog Indicator	
	Lodged	Finalised	Active		From filing date	
					% > 12 mths	% > 24 mths
Criminal						
Brisbane	146	145	85	99.3%	10.6%	1.2%
State Total	868	334	755	38.5%	7.3%	0.1%
Civil						
Brisbane	20	25	13	125.0%	30.8%	7.7%
State Total	52	68	51	130.8%	43.1%	3.9%

*Clearance rate - finalisations/lodgments

The Planning and Environment Court

The court is constituted by a District Court judge appointed to it. Many of the judges who may constitute the court are based in Brisbane. With the exception of Beenleigh, a Planning and Environment Court judge is based in each regional centre.

The court was first constituted in 1966 as the Local Government Court, then renamed in 1991 pursuant to the *Local Government (Planning and Environment) Act 1990*, and then pursuant to the *Integrated Planning Act 1997* and now, pursuant to the *Sustainable Planning Act 2009* (SPA). The court's rules and Practice Directions are made under the SPA.



John Taylor

The court exercises jurisdiction over a myriad of planning and/or environmental disputes. Matters are often complex and many have significant environmental, social and economic consequences. The court has unlimited monetary jurisdiction. It may:

- make declarations and other orders
- make interim enforcement orders and final enforcement orders
- conduct full merits reviews of decisions of local governments and government entities
- hear claims for compensation
- punish for contempt.

Judges travel throughout Queensland to hear and determine planning matters, so that matters may be heard at a place close to the site or development, and the community which it affects.

Practice and procedure in the Planning and Environment Court is characterised by its comprehensive deployment of alternative dispute resolution, particularly through the court's ADR service. The judges actively supervise the lists and their flexible case management achieves the just and expeditious resolution of the real issues in proceedings at a minimum of expense. Its management of experts is recognised as one of the best in the common law world.

Approximately 90 per cent of cases are finalised without proceeding to a full hearing. The court's ADR Registrar, Mr John Taylor, conducts mediations; convenes and chairs without prejudice meetings; convenes and chairs meetings of experts; and convenes and chairs case management conferences. The court's ADR service is free of cost to the parties and is provided throughout the state.

In 2010-11 the ADR Registrar conducted 246 mediations or chaired without prejudice conferences for 166 matters, 72 per cent of which were resolved at or following the mediation or conference. Mediations and conferences were held not only in Brisbane, but at Southport, Maroochydore, Cairns, Townsville, Longreach, Bundaberg, Emerald and Toowoomba. The court's ADR service has been recognised internationally as providing visionary ADR access to justice.

Judge Rackemann has responsibility for the management of the court's lists and for its day to day operation. The caseload of the court continues to be managed and disposed of efficiently. In 2010-11, the court achieved a clearance rate of 124.5 per cent, following a clearance rate in the previous year of 100.1 per cent. This exceptional clearance rate was due primarily to a 16 per cent increase in the number of matters finalised within the year. There was a consequential fall in the number of active pending matters. There was also a modest (6 per cent) fall in the number of new matters, which was expected, given the prevailing economic conditions in the development industry.

Table 4: Clearance rate in planning and environment cases

Planning and Environment Court 2010-11						
	Lodged	Finalised	Active	Clearance Rate *	Backlog Indicator From filing date	
					% > 12 mths	% > 24 mths
Brisbane	489	636	506	130.1%	41.5%	18.4%
State Total	637	793	676	124.5%	42.0%	19.1%

*Clearance rate - finalisations/lodgments

In all 82.1 per cent of all pending matters recording some activity were actively case-managed within the three months preceding 30 June 2011.

Innovations in 2010-11 included the amendment of the *Planning and Environment Court Rules 2010* to identify and deal more quickly with difficulties or delays in the proper and timely completion of joint expert meetings and joint reports. By Practice Direction no 1 of 2011 matters which concern infrastructure charges or conditions of approval only are diverted directly to the ADR Registrar. Practice Direction no 2 of 2011 introduced changes to contain cost and complexity by curtailing unnecessary requests for particulars or inappropriately broad disclosure.

The court continues to receive international recognition. In July 2010 Judge Rackemann travelled to Manila, at the request of the Asian Development Bank, to address the Asian Judges Symposium on Environmental Decision Making, the Rule of Law and Environmental Justice.

The court also continues to receive recognition for its innovative approach to the management of experts, through a joint meeting and joint report process conducted in the absence of the parties or their legal advisors and prior to the preparation of any individual expert reports for hearing. In February 2011 Judge Rackemann participated in a panel discussion session at an Expert Evidence Conference in Canberra, hosted by the National Judicial College of Australia. He also addressed the 2011 Bar Association of Queensland Annual Conference on this topic.

The judges of the court continue to engage with those interested in the jurisdiction. Judge Rackemann

addressed seminars and conferences for the Queensland Environmental Law Association and the National Environmental Law Association. He also addressed the inaugural Queensland Environmental Law Enforcement Conference.

Childrens Court of Queensland

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.

The Childrens Court of Queensland is a specialist jurisdiction established under the *Childrens Court Act 1992*. The President of the Court to February 2011 was Judge Dick SC with Judge Shanahan succeeding her. There are presently 26 judges of the court holding commissions under the Act available to sit as Childrens Court judges.

The administration of the President, Judge Shanahan 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 1992* 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 14 of the judges are based:

- Cairns
- Southport
- Rockhampton
- Ipswich
- Townsville
- Beenleigh
- Maroochydore

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.

Cairns

Judiciary

Judge Everson

Judge Harrison

Judge Everson and Judge Harrison are the resident judges in Cairns and manage 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 hold commissions in the Childrens Court and in the Planning and Environment Court. The judges undertook circuits in the Cairns region and elsewhere in the state. Some assistance was provided by judges on circuit from other centres.

In Cairns, with 514 new matters, the court ended the year with 263 outstanding criminal cases and disposed of 468 matters (a 91.1 per cent clearance rate). Of the outstanding cases, 20.5 per cent were more than 12 months old (from date of presentation of indictment), and 5.3 per cent were more than 24 months old. In its appellate criminal jurisdiction, the court at Cairns disposed of 22 criminal appeals, ending the year with nine outstanding, a 95.65 per cent clearance rate.

On the civil side, 170 new cases were lodged at the court at Cairns. The court ended the year with 168 outstanding cases, disposing of 270 matters, reflecting a 158.82 per cent clearance rate. Of the active cases at the end of the year, 24.4 per cent were older than 12 months (from filing date) and 5.36 per cent were older than 24 months.

On the planning jurisdiction side, 21 new cases began in the court at Cairns. It ended the year with 24 outstanding cases, disposing of 32 matters, reflecting a 152.38 per cent clearance rate. Of the active cases at the end of the year, 45.83 per cent were older than 12 months (from filing date) and 33.33 per cent were older than 24 months.

Rockhampton

Judiciary

Judge Britton SC

The resident judge in Rockhampton, Judge Britton, 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.

In Rockhampton, with 231 new criminal matters the court ended the year with 132 outstanding criminal cases and disposed of 178 matters (a 77.1 per cent clearance rate). Of the outstanding cases, 25.8 per cent were more than 12 months old (from date of presentation of indictment), and 0.8 per cent were more than 24 months old. The court disposed of seven criminal appeals during the year.

On the civil side, 52 new cases were lodged, ending the year with 48 outstanding cases, disposing of 62 matters, reflecting a 119.23 per cent clearance rate. Of the active cases at the end of the year, 33.33 per cent were older

than 12 months (from filing date) and 6.25 per cent were older than 24 months.

On the planning side, three new cases began in the court in Rockhampton. It ended the year with three outstanding cases, disposing of five matters, reflecting a 166.67 per cent clearance rate.

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

Townsville

Judiciary

Judge Durward SC

Judge Baulch SC

Judge Durward and Judge Baulch were the resident judges during the year. Townsville is also served by the Supreme Court's Northern Judge. Judge Durward and Judge Baulch hold commissions in the Childrens Court and the Planning and Environment Court and they also undertake circuits in their region, which includes Palm Island. Some assistance was provided by judges on circuit from other centres, although the reduction in the number of circuit judges available to assist Townsville had an impact on the Townsville criminal and planning lists.

In Townsville, with 417 new criminal matters, the court ended the year with 143 outstanding criminal cases and disposed of 339 matters (a 81.3 per cent clearance rate). Of the outstanding cases, 9.1 per cent were more than 12 months old (from date of presentation of indictment), and 0.7 per cent were more than 24 months old.

In its appellate criminal jurisdiction, the court at Townsville with 520 appeals lodged ended the year with 518 outstanding criminal appeals, disposing of 17 appeals, reflecting a 3.27 per cent clearance rate.

On the civil side, 173 new cases were lodged. The court ended the year with 173 outstanding cases, disposing of 164 matters, reflecting a 94.8 per cent clearance rate. Of the active cases at the end of the year, 31.79 per cent

were older than 12 months (from filing date) and 4.05 per cent were older than 24 months.

On the planning side, 19 new cases began in the court at Townsville. The court ended the year with 22 outstanding cases, disposing of 28 matters, reflecting a 147.37 per cent clearance rate.

Maroochydore

Judiciary

Judge Dodds (until 17 April 2011)

Judge Robertson

Judge Long SC (from 13 May 2011)

Judge Dodds, the first Maroochydore resident judge was appointed to Maroochydore in 1993, and retired on 17 April 2011 after 25 years of service to the court. Judge Robertson (who joined Judge Dodds in 2001) is now the senior judge. He and Judge Long hold commissions in the Planning and Environment Court and the Childrens Court.

Most of the work of the court at Maroochydore is undertaken by the resident judges, with some assistance from other judges who visit on circuit. In addition to the usual work within the jurisdiction of the District Court, each of the resident judges sits as a Childrens Court judge and also deals with proceedings in the Planning and Environment Court.

In Maroochydore, with 324 new criminal matters the court ended the year with 93 outstanding criminal cases and disposed of 220 matters (a 67.9 per cent clearance rate). Of the outstanding cases, 15.1 per cent were more than 12 months old (from date of presentation of indictment), and 3.2 per cent were more than 24 months old.

On the civil side, 221 new cases were lodged in the court at Maroochydore. The court ended the year with 195 outstanding cases, disposing of 221 matters, reflecting a 100 per cent clearance rate. Of the active cases at the end of the year, 21.03 per cent were older than 12 months (from filing date) and 4.10 per cent were older than 24 months.

In the planning jurisdiction, 51 new cases began in the court at Maroochydore. The court ended the year there with 71 outstanding cases, disposing of 56 matters, reflecting a 109.8 per cent clearance rate.

In its appellate civil jurisdiction, the court at Maroochydore ended the year with five outstanding civil appeals, disposing of four appeals, reflecting a 66.67 per cent clearance rate.

The Maroochydore-based judges undertake much of the circuit work at Gympie and Kingaroy. The Kingaroy district includes the largely indigenous community of Cherbourg and the judges visit the nearby town of Murgon on circuit. Judge Robertson also has responsibility for the Bundaberg circuit lists. Both judges undertake circuit work elsewhere in the state.

Southport

Judiciary

Judge Newton

Judge Wall QC

Judge McGinness

Judge Newton, Judge Wall and Judge McGinness received considerable assistance during the year from the circuit judges.

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.

In Southport, the court ended the year with 192 outstanding criminal cases and disposed of 415 matters (a 113.1 per cent clearance rate). Of the outstanding cases, 32.8 per cent were more than 12 months old (from date of presentation of indictment), and 9.4 per cent were more than 24 months old.

On the civil side, 475 new cases were lodged at Southport. The court ended the year with 440 outstanding cases, disposing of 548 matters, reflecting

a 115.37 per cent clearance rate. Of the active cases at the end of the year, 25.68 per cent were older than 12 months (from filing date) and 5.45 per cent were older than 24 months.

In its appellate criminal jurisdiction, the court at Southport with 50 criminal appeals lodged, disposed of 42 appeals, reflecting a 84.00 per cent clearance rate.

In its appellate civil jurisdiction, the court at Southport ended the year with five outstanding civil appeals, disposing of 12 appeals, reflecting a 400.00 per cent clearance rate.

On the planning side, 30 new cases began in the court at Southport. It ended the year with 37 outstanding cases, disposing of 29 matters, reflecting a 96.67 per cent clearance rate. Of the active cases at the end of the year, 27.03 per cent were older than 12 months (from filing date) and 18.92 per cent were older than 24 months.

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

Ipswich

Judiciary

Judge Richards

Judge Bradley

Judge Koppenol

Judge Richards, Judge Bradley and Judge Koppenol dealt with the Ipswich caseload. Judge Richards and Judge Bradley hold a commission in the Childrens Court of Queensland, and Judge Richards manages the Ipswich lists. All three judges undertook circuits in centres throughout the state.

In Ipswich, the court ended the year with 112 outstanding criminal cases and disposed of 434 matters (a 95.8 per cent clearance rate). Of the outstanding cases, only 11.6 per cent were more than 12 months old (from date of presentation of indictment), and none were more than 24 months old.

In its appellate criminal jurisdiction, the court at Ipswich ended the year having disposed of 11 criminal appeals, achieving a 137.5 per cent clearance rate.

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. The judge also conducted circuits in Mount Isa and other centres. Considerable assistance was provided by judges on circuit from other centres.

In Beenleigh with 458 new criminal matters, the court ended the year with 174 outstanding criminal cases and disposed of 518 matters (a 113.1 per cent clearance rate). Of the outstanding cases, 19.0 per cent were more than 12 months old (from date of presentation of indictment), and 5.2 per cent were more than 24 months old.

In its appellate criminal jurisdiction, with 21 new criminal appeals lodged, the court at Beenleigh disposed of 14 appeals, reflecting a 66.67 per cent clearance rate.

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.

The 37 centres (excluding those with a resident judge) where judges sit on circuit during the year are: Aurukun;

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

Committees

The membership of the judges' committees as at 30 June 2011, with the Chief Judge an ex officio member of each committee, was as follows:

Aboriginal and Torres Strait Islander

Convenor: Judge Bradley

Members: Judge Shanahan

Judge Irwin

Judge Dearden

Judge Everson

Judge McGinness

Judge Harrison

Judge Reid

Civil Procedure

Convenor: Judge Robin QC

Members: Judge McGill SC

Judge Rackemann

Judge Andrews SC

Judge Dorney QC

Cultural Awareness

Convenor: Judge Martin SC

Members: Judge Richards

Judge Bradley

Judge Shanahan

Judge Dick SC

Judge Irwin

Judge Reid

Judicial Professional Development

Convenor: Judge Dick SC

Members: Judge Griffin SC

Judge Dearden

Judge Martin SC

Criminal Law

Convenor: Judge Shanahan

Members: Judge Robertson

Judge Dick SC

Judge Irwin

Judge Dearden

Judge Rafter SC

Judge Martin SC

Judge Clare SC

Judge McGinness

Court Planning

Convenor: Judge Searles

Members: Judge Griffin SC

Judge Durward SC

Judge Andrews SC

Salaries and Entitlements

Convenor: Judge Rackemann

Members: Judge Botting

Judge Durward SC

Judge Devereaux SC

Aboriginal and Torres Strait Islander committee

During the year the Indigenous Student Mentoring Scheme was established by the Bar Association of Queensland. Judge Shanahan, Judge Kingham, Judge Martin SC, Judge Searles and Judge Jones have become mentors, in conjunction with the barristers, to Indigenous law students or high school students in order to encourage them to complete tertiary studies and to consider a career in the law.

The 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; 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 judges and the community informed of improvements and developments.

On 6 July 2010 the Chief Judge represented the District Court at the NAIDOC Week Flag Raising Ceremony in the courtyard of the Law Courts Complex .

On 18 August 2010 Judge Shanahan met with representatives of the Department of Justice and Attorney-General and the Department of Communities (Aboriginal and Torres Strait Islander Services) to discuss the proposed development of the new Indigenous Justice Strategy.

During circuits to Indigenous communities on Cape York, in the Torres Strait and in the Gulf of Carpentaria, as well as at other centres around the state, judges met with members of the community justice groups. Judge Bradley met with members of the Justice Group in Cherbourg on 2 September and Judge Everson and Judge Harrison met with members of the Yarrabah Community Justice Group on 27 April 2011.

In September Judge Bradley, Judge Shanahan and Judge Martin SC met Dr Mark Lauchs, Faculty of Law,

Queensland University of Technology to discuss his draft report: *Rights versus reality: The Difficulty of Providing "Access to English" in Queensland Courts*. On 16 September 2010 Judge Bradley attended sessions of the State-wide Community Justice Reference Group Meeting in Brisbane.

On 17 September 2010 the Chief Judge and Judge Shanahan met with officers of the Department of Justice and Attorney-General's Strategic Policy unit, Courts Innovation programs DJAG, Courts Innovation Programs DJAG, and officers of the Department of Aboriginal and Torres Strait Islander Partnerships.

In November 2010 Judge Shanahan consulted with the Chief Judge on the draft report: *Indigenous Sentencing Disparities* prepared by the Department of Premier and Cabinet.

In May 2011 the committee reported to the Chief Judge on the Draft Aboriginal and Torres Strait Islander Justice Strategy 2011–2014 formulated by the Queensland Government.

During the year Judge Bradley served as a member of the National Judicial College of Australia's Indigenous Justice Committee. Judge Shanahan is a member of the NJCA Queensland subcommittee and the AIJA Indigenous Justice Committee.

Civil procedure committee

The Civil Procedure Committee is available to give advice and assistance in respect of the civil jurisdiction exercised by the court to the Chief Judge and the judges generally. It functions informally, typically "meeting" and communicating by email.

Advice is often provided in connection with the Chief Judge's formulating and presenting the views of the court about changes in legislation and regulations that are proposed by state or Commonwealth authorities or seem desirable.

In the last year many of the issues considered have been related to the work of the Chief Justice's Rules Committee in its aspect of reviewing the *Supreme*

Court Act of 1995 which has reached an advanced stage, with a draft of a new Civil Proceedings Bill made available for public consultation in November 2010. Much other legislation relating to the civil work of all courts in Queensland has come up for consideration in that exercise. Among its facets, the Bill proposes many changes to modernise provisions of the *District Court of Queensland Act 1967*. Judge Robin QC and Judge McGill SC who are members of the Civil Procedure Committee sit on the Rules Committee and are able to provide appropriate liaison to ensure that the views of the court are ascertained and given proper consideration.

Court planning committee

Judge Searles is the convenor of the committee. Judges Griffin QC Durward SC, and Andrews SC were its members.

The committee assists the Chief Judge with advice on a range of administrative matters.

During the year, the committee acted, primarily to assist the Chief Judge (who attended its meetings) in addressing planning and strategic matters arising in the course of her administration of the court. As in past years those matters often required prompt attention from available committee members who, for that reason, met informally rather than by pre-arrangement.

Criminal law committee

The Criminal Law Committee advised the Chief Judge with respect to numerous law reform initiatives including the implementation of the *Civil and Criminal Justice Reform and Modernisation Amendment Act 2010*, the Sentencing Advisory Council, and the *Criminal Code and Other Acts Amendment Act 2011*, as well as collating observations for the briefing to the Attorney on the QLRC *Review of Jury Directions*, proposed amendments to chapter 22A *Criminal Code* and the “*Consultation Draft-Evidence Working Group*” in relation to issues concerning the disclosure of sexual assault counselling communications in legal proceedings.

Judge Shanahan also serves on the NJCA Planning Committee on Jury Management with the Hon Justice Byrne SJA.

Judge Shanahan circulated his revised paper on *Affected Child Witnesses*, a seminal work on the preparation for and procedure involved in the taking of an affected child witness’ evidence. It is also published on the Judicial Virtual Library. The committee also provided advice to the Rules Committee in relation to proposed amendments to the Indictment Forms in the *Criminal Practice Rules*.

On 18 October 2010 the Chief Judge, Judge Dick SC and Judge Shanahan, and on 2 June 2011, the Chief Judge and Judge Shanahan, met with representatives of Protect All Children Today (PACT) with respect to the support role played by PACT volunteers in the prerecording of affected child witnesses’ evidence under Division 4A *Evidence Act 1977*.

Professional development committee

The continuing professional development of the judges was actively pursued during this year. The Standard for Judicial Professional Development in Australia (especially its principal aspect that all judges undertake at least five days of professional development each year) was adopted and confirmed by the judges of this court soon after its adoption by the Council of Chief Judges in 2007. The Standard has provided a sound basis for an important aspect of this court’s administration – that each of our judges has sufficient periods when the judge is not listed in court so that, inter alia, the judge has sufficient time for ongoing judicial professional development. The judges are reminded frequently of the importance of undertaking continuing judicial professional development and of the Standard. There is a high standard of compliance with the Standard by the judges of the District Court.

Judge Griffin SC represents the Australian District and County Court judges on the Council of the National Judicial College of Australia, thus advancing professional judicial education for the judges in many significant ways.

Judge Shanahan represents the court on the Judicial Conference of Australia Governing Council and serves on the National Judicial College of Australia Planning Committee on Jury Management.

During the year under review Judge Dick SC was a member of the Griffith University Visiting Law School Committee and Judge Dearden was a member of the USQ Law School Advisory Committee.

Judges attended workshops or conferences throughout the year. Details of the judges' judicial professional development involving overseas studies, seminars, programmes or conferences are published annually on the court website. Also, the court calendar is structured so that 2.5 days per annum is set aside for judicial professional development in banc. This time is especially important for the court – it is the only time that the court's 38 judges are together, as 14 of the judges have permanent chambers in various parts of Queensland outside Brisbane.

There is no discrete college or commission providing judicial professional development in Queensland. Accordingly the judges value the important support offered by the National Judicial College of Australia, as well as the assistance of the Australian Institute of Judicial Administration, the Judicial Conference of Australia and the Judicial Commission of NSW in furthering judicial professional development. All newly appointed judges benefit from the National Judicial Orientation program. Judge Baulch SC attended the NJCA's Judicial Orientation Programme, which was held in Fremantle in October 2010.

The judges' 16th Annual Conference was held at Marcoola on 8-10 August 2010. The conference provides a forum for professional discussion and an enhancement of collegiality, most particularly with regional judges. Speakers at the 16th Annual Conference included Professor Roly Sussex on Assessing Unhelpful or Evasive Answers; Emeritus Professor David Brown on the Limited Benefits of Imprisonment and the Emergence of Justice reinvestment policies; Professor William McNeil on law in the cinema; Detective A/Inspector Deniz Clark and Mr Paul Griffiths on QPS

practices for classifying child exploitation material, and Roger Derrington SC and Peter Davis SC on the implementation of the District Court commercial list on 2010 changes to the criminal justice system, respectively.

The program for the 12th International Criminal Law Congress 2010, *A World without Boundaries – Crime in the 21st Century*, was developed and implemented by Judge John Robertson, who was then the convenor of the judges' criminal law committee. Many of the judges participated in the congress held at Noosa from 20-24 October 2010, and which attracted many lawyers, academics and eminent judges from around the globe.

On 12 November 2010, the Hon JEJ Spender QC presented his paper on *Judging* at the judges' seminar.

The judges also presented papers or participated in seminars or conferences during the year. Judge Dick SC was the lead presenter at the South Pacific Council of Youth and Children's Courts held in Sydney in July 2010 as was Judge Rackemann at the Asian Judges' Symposium on Environmental Adjudication, Green Courts and Tribunals and Environmental Justice held in Manila in July 2010 and at the QELA Conference, Sanctuary Cove in May 2011.

Others to participate or present papers were Judge Rafter SC at the Malaysian Prosecutorial Practice courts, Institut Latihan Kehikiman & Perundangan, held in Kuala Lumpur in July 2010; Judge McGill SC, Judge Samios, Judge Irwin and Judge Reid at the Qld Law Society's *Practice and Procedure in the District Court seminar* in February 2011; Judge Irwin at the DPP's professional development seminar on *Advocacy* in February 2011 and at a Queensland Drug Court stakeholders conference in June 2011; Judge Dearden at the Australian Defence Lawyers Alliance in April 2011, also in May 2011 at the NJCA Solution Focused Judging Program and a Judicial College of Victoria sentencing workshop.

Office of the Executive Director of the Supreme District and Land Courts Service

The role of the Office of the Executive Director of the Supreme District and Land Courts Service includes the coordination and oversight of registry administration and the provision of judicial support services for those courts throughout the state.

The office was formerly known as the Office of the Director of Courts but various administrative changes occurred following the conclusion in mid-2010 of a review of the governance and structure of registries across several major jurisdictions, including the District Court. These resultant changes included the creation of the Supreme, District and Land Courts Service and the translation of the role of Director of Courts and many of the responsibilities of that office into that of the Executive Director of the Service.

The review also saw the transitioning of services such as court reporting and the supply and management of information and court room technology out of the Office of the Director into the newly created Reform and Support Services area within the Queensland Courts Service. These changes are expected to ensure the efficient maintenance of high levels of service within the District Court.

The Director of Courts and Principal Registrar, Ms Robyn Anne Hill formally resigned from this role on 1 October 2010. Ms Hill was notable for her dynamic and passionate commitment to positive change in registry administration in the three years following her appointment in February 2007. We wish her continuing success in her future endeavours.

Ms Julie Steel has acted in the position for the whole of 2010-11, and is supported by executive, administrative and registry staff throughout Queensland.

As Principal Registrar, Ms Steel is an ex-officio member of the Incorporated Council of Law Reporting and a

member of the Records Management Committee. She also attends meetings of the Rules Committee.

Registry Services

Court registries are responsible for:

- receiving documents for filing
- providing information about the general court process and the progress of particular matters
- sealing documents for service (such as subpoenas)
- maintaining court records
- ensuring that documents are created and distributed to give effect to orders of the court
- organising resources to enable matters to progress through the system and hearings to proceed
- performing all necessary administrative work associated with the criminal and civil jurisdictions of the court.

Permanent District Court registries are located at Brisbane, Rockhampton, Townsville, and Cairns. Further registries are located at Beenleigh, Ipswich, Maroochydore and Southport, and the local Magistrates Court staff manage these offices. Other centres are also visited on circuit, and the Magistrates Courts staff also perform the registry duties at those times.

Supreme and District Court civil files are managed within the CIMS and CIMSLite systems and can be searched online using the eSearch facility on the Queensland courts website. Use of the eSearch program continues to increase, with more than 1,247,000 online searches performed in 2010-11. This represents an increase of 13.4 per cent from 2009-10, when 1,100,000 searches were conducted.

Registry workloads

During 2010-11, civil lodgments increased by 1.9 per cent across the state compared to the previous year. Whilst this is only a slight increase at the state level, lodgments increased significantly in Brisbane. During 2009-10, Brisbane received 56.2 per cent of civil lodgments. However, the ability to file in central registries as a

result of the *Civil and Criminal Jurisdiction Reform and Modernisation Amendment Act 2010* (the Act), which commenced on 1 November 2010, saw this figure increase to 69.6 per cent during 2010-11. The registry will closely monitor civil lodgments during 2011-12 to ensure appropriate levels of service continue to be maintained.

Changes made by the Act affecting the criminal jurisdiction of the District Court are not expected to impact registries until later in 2011.

New approaches

The registry has invested considerable time and effort in developing strategies that ensure service levels are maintained and even improved within existing resources.

The registry is committed to innovation to improve service levels by focussing on staff, as well as the development of policy and procedures to ensure best practice is achieved and a consistent level of service is provided to client and stakeholders alike.

Some initiatives are quite simple. For example, in Brisbane, a single registry counter has replaced three counters to deal directly with court users.

A Court User's Reference Group was established during the year. The group consists of senior management of the Department of Justice and Attorney-General, Supreme, District and Magistrates Courts, as well as representatives from the Bar Association of Queensland, and Queensland Law Society. The first improvement arising from the group has been the development of an access card that enables legal practitioners to enter the Law Courts Complex without waiting for security checks. This initiative is jointly administered by the professional associations in conjunction with the registry. It is expected that further opportunities for consultation and business improvement will occur in future.

eTrials

Since the appointment of a dedicated eTrials Registrar in July 2010, relevant stakeholders have had a 'one stop' contact point through which to discuss issues concerning current and proposed eTrials. Several presentations to the profession and other interested parties have occurred. The benefits of eTrials have been demonstrated in the experience of those who have utilised this approach. Over the past 12 months, the preparation and conduct of eTrials has been further integrated into normal registry procedure, with the aim of eventually having eTrials as part of the day to day business of the courts. This integration will be essential once the District Court has relocated into the new court building, where 14 courtrooms will be capable of conducting eTrials.

Court Network volunteers

Attending court in any capacity can be a daunting and sometimes stressful ordeal for many within the community. Whilst registry staff assist court users, there is a limit to what they can appropriately do.

Court Network volunteers are to be commended for the essential work they undertake within the courts. The volunteers of the Court Network are well trained and passionate. In providing practical information and guidance as well as personal assistance to those involved in court proceedings they play a significant role. They facilitate access to justice and support the smooth operation of the court. Ms Steel's appointment as a member of the Court Network's Board in June 2011 is therefore welcome.

Acknowledgements

The ongoing enthusiasm, commitment and professionalism of registry staff in discharging their duties are some of the most significant assets of the court. Workloads are managed as efficiently as possible and the many challenges and changes that arise are embraced.

The continuing support and assistance of legal practitioners and judges, particularly in the face of the difficulties which sometimes arise in providing registry services, is greatly appreciated. Their willingness to engage with the registry to improve services is equally appreciated.

State Reporting Bureau

The State Reporting Bureau provides a recording and/or transcription service to the Supreme, District, Land and Magistrates Courts, Queensland Civil and Administrative Tribunal, Industrial Court and the Industrial Relations Commission. These services are provided at Brisbane and 35 regional and circuit centres throughout Queensland.

Reporting services are also provided for the Medical Assessment Tribunal, Mental Health Court and the Land Appeal Court.

During 2010-11 the Bureau recorded approximately 16,300 hours or 2,200 days of proceedings. Of this 81 per cent was by remote digital recording and 19 per cent by Computer Assisted Transcription (CAT) reporters.

In 2010-11 the Bureau produced approximately 198,740 pages of transcript for matters in the District Court. This represented 35 per cent of the total pages produced by the Bureau in the same period.

The digital recording system utilised by the Bureau continues to allow for the more efficient use of staff resources across the state. The placing of cameras in courtrooms combined with the digital recording system allows staff to monitor and record courts across the state without having to travel to a particular centre. For example centres such as Mount Isa, Hervey Bay and Beenleigh can be recorded remotely and transcribed by any of the ten Bureau offices. The use of this technology also allows workloads to be accommodated based on the capacity of individual centres.

Changes in technology also means that it is now easier for the Bureau to offer audio CDs as an option to transcripts. This format provides a cheaper, faster and

more efficient method of delivery and reduces the costs of production.

Over the last six years improvements introduced have seen total page production for the State Reporting Bureau grow from approximately 410,000 pages in 2004-05 to approximately 570,000 in 2010-11 without any commensurate increase in funding. This translates to an increase in page production of over 38 per cent.

The Bureau utilises three processes to produce a transcript, Audio/Keyboard Transcribers, Voice Assisted Transcribing (VAT Reporters) and Computer Assisted Transcriber (CAT) Reporters.

VAT Reporters are a new and developing occupation which has evolved as a result of the Bureau's use of voice recognition software to assist injured staff to return to work, whilst utilising a method of transcription, which was not contraindicative to their recovery, and one, which would enable them to remain focused and productive to their role description.

The voice/keyboard combination utilised with voice recognition software has proved useful not only for rehabilitation but also for transcript production generally.

Courts information services

During 2010-11 the Courts Information Services Branch (CISB) included five teams:

- Operations – supported court-related applications and provided Service Desk support to judicial officers
- Systems – managed enhanced selected court related applications
- Audio Visual – managed, supported and extended the audio and visual systems installed throughout the state
- Queensland Sentencing Information Service (QSIS) – 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.

Key achievements

During 2010-11 the Branch carried out major upgrades of the audio visual facilities in 21 courtrooms throughout the state, including the fit-out of a courtroom in Brisbane to support eTrials. The Branch also enhanced the audio visual fit-out of 20 other courtrooms and upgraded the digital recording facilities in 66 courtrooms.

Related organizations

Supreme Court of Queensland Library

The Supreme Court of Queensland Library (SCQL) is the principal law library in Queensland, serving the judiciary and legal profession.

It has provided essential legal information services to the District Court, since that Court was established in 1865, and has developed a significant collection of print and online resources across local and international jurisdictions. The Library is also committed to the collection and preservation of Queensland's legal history, which is achieved through education, publication and digitisation programs, conducted under the auspices of the Supreme Court History Program.

SCQL is governed by a Committee comprising members of the judiciary, as well as nominees of the Queensland Law Society, Bar Association of Queensland and the Attorney-General and Minister for Justice. These groups represent the Library's key clientele and the composition of the Committee ensures that Library services remain relevant and responsive to user needs.

In 2010-11, the Committee was chaired by the Honourable Justice Hugh Fraser.

Highlights

This year, the Library focused on preparing for relocation to the new Supreme and District Courts building in 2012; planning for the *Sir Harry Gibbs Legal Heritage Centre* in the new building; and restructuring the Library IT network to lay the foundation for future online services growth and development.

Significant achievements include:

- Completion of the conceptual and design aspects of the *Sir Harry Gibbs Legal Heritage Centre* for the display and preservation of Queensland legal history, to be located in the foyer of the new

Supreme and District Courts building. Preparations also commenced for the creation of the inaugural exhibition celebrating 150 years of law in Queensland.

- A major network review and information technology redevelopment project undertaken to facilitate the development of key services through the Library's online public catalogue and to achieve stability that will appropriately support the future work of the Library. The project included reconfiguration of servers and datasets to optimise the Library's network security and functionality.
- In excess of 4.4 million hits registered through SCQL's online platforms, including the public website, online catalogue and *Judicial Virtual Library*.
- Establishment of a dedicated collection of Childrens Court judgments from the Queensland District and Magistrates Courts, available via the Library website.
- Publication of the sixth volume in the successful Supreme Court History Program Yearbook series, as well as a commission for a commemorative coffee-table style history celebrating the sesquicentenary of the Supreme Court.

Information Services

Since its establishment, the Library has served as the chief information agency for the Queensland judiciary and legal profession.

Legal information services offered by the Library include:

- Reference, research and document delivery, available to members of the District Court throughout Queensland;
- Specialised current awareness services for the Queensland judiciary and legal profession;

- Judgment bulletins and indices, available via the SCQL website and *Queensland Legal Indices* database;
- Legal research and product training for judges, associates, legal practitioners and court staff;
- Indexed collections of biographical materials relating to members of the judiciary in Queensland, as well as other Australian jurisdictions.

In 2010-11, the Library responded to 11,877 requests for information and supplied 15,289 documents to users.

Current Awareness Services

The ever-increasing volume of legal content available online has highlighted the importance of regular customised updaters services for Library clients. The Library has developed the following current awareness services in response to user need:

- Judicial current awareness service – originated as a newspaper clippings service in 1984 and is now produced as an online, email and RSS feed tool that enables users to customise content and search an archive of material. In 2010-11, a total of 6345 articles and speeches were selected for inclusion in the service.
- *Queensland Legal Updater* – provided as a free weekly email bulletin, with a focus on judicial and legislative developments in Queensland. 48 issues were published this year, providing a regular and convenient alert service for subscribers.
- *Magistrates Legislation Bulletin* – produced in consultation with Deputy Chief Magistrate Hine, the Bulletin is a specialised updater tool for magistrates across Queensland. 11 issues were published this year.

Legal Collections

The SCQL collection is the primary legal reference collection in the state, incorporating 154,000 print volumes and more than 65,000 additional titles available online. The Collections Sub-Committee, which

met four times this year, provides a user-representative forum to discuss acquisition priorities and to select materials that appropriately serve the needs of the Library's core user groups.

The Library houses print collections in Brisbane and in regional courthouses across Queensland, as well as maintaining the Court of Appeal Library in the Brisbane Supreme Court. Users across Queensland also enjoy access to a broad range of legal resources available online via the Library catalogue.

In 2010-11, the Library continued to enrich its collection with an extensive range of resources from HeinOnline and Oxford publishing, as well as other content specific datasets.

In 2009, the Librarian was asked to negotiate legal content purchasing on behalf of the Department of Justice and Attorney-General. The benefits of this continuing arrangement were carried forward this year, with ongoing savings, budget certainty and a reduction in the administrative costs associated with negotiating contracts. Savings were generated across the Departmental portfolio, the Courts and the Library.

The centralised model for purchasing has also directly benefited Library clients, who now enjoy access to a wider range of legal content than was previously available.

Publishing

The Library publishes a number of online services to facilitate convenient access to legal information for users.

In 2010-11, more than 20,000 full-text judgments were made available via the Library website at www.sclqld.org.au. The following key information services were also published online for Library users:

- Queensland's most comprehensive, indexed collection of judgments, incorporating decisions of the Supreme Court, District Court, Planning and Environment Court, Mental Health Court,

Magistrates Court, Childrens Court and Land Court, including 2,385 new judgments published this year.

- A complete collection of decisions published by the Queensland Civil and Administrative Tribunal since its establishment in late 2009.
- Criminal Codes Appellate Decisions database, launched in 2010, containing selected High Court and intermediate appeal court judgments relating to the Criminal Codes in Queensland, Western Australia, Tasmania and the Northern Territory. More than 56,000 page views were recorded this year for database usage.
- Uniform Civil Procedures Rules Bulletin – published since 1999, citing cases heard in the Supreme and District Courts that have judicially considered the Rules.
- Queensland Legal Updater – a free weekly alert service with coverage including a selective review of the most important new Queensland cases and legislation from the past week, practice directions and selected journal articles.

In 2010-11, the *Queensland Legal Indices* continued to be a widely utilised judgments service, providing advanced search features across more than 20,000 full-text decisions of the Queensland Courts and Tribunals.

This year, the Library also published a retrospective collection of judicial papers on the AustLII website to enhance accessibility for users Australia-wide. In the past four months, AustLII recorded 125,557 page visits to the Queensland Judicial Scholarship database.

The Library also publishes scholarly works with a focus on legal history. This year, the sixth volume in the successful *Supreme Court History Program Yearbook* series was published, featuring original contributions from the Hon IDF Callinan AC, Justice JD Heydon AC, the Hon JB Thomas AM, Senator the Hon G Brandis SC and Professor Emeritus Horst Lücke.

The Review of Books also remained a popular quarterly publication for members of the judiciary and this year featured reviews submitted by members of the

Queensland judiciary and legal profession. A substantial proportion of the Review is “homegrown”, reflecting cultural interests in music, film and literature.

Legal Heritage and Community Programs

SCQL conducts a range of activities, including the Supreme Court History Program, to promote a better understanding of the Queensland Courts and this state’s important legal heritage:

- Continuing research and exhibition series, featuring an exhibition on the Law Courts Mural and the development of justice in Queensland;
- Lecture series, featuring two public lectures this year and a conference on *Queensland’s Higher Courts*, held in conjunction with the Brisbane History Group;
- Schools education program, which provided educational tours, ‘meet with a judge’ sessions and more than 100 legal research classes for 6630 student visitors to the Courts;
- Oral history program, which recorded three original interviews and three memoirs from members of the Queensland judiciary and legal profession;
- Administration of the Australian division of the Selden Society, with a national membership in excess of 100 subscribers;
- Digitisation of historical documents, totalling 9601 pages this year, and spanning important materials such as biographical collections relating to the Lilley and Douglas families, as well as the Honourable Peter Connolly CBE CSI MLA QC and His Honour Judge Reginald Carter;
- Collection and preservation of legal memorabilia and photographs relating to Queensland and court history.

Future Directions

The much-anticipated new Supreme and District Courts building, now scheduled to open mid-2012, will embody

all the expectations of modern courthouse technology, whilst honouring Queensland's rich legal history through the *Sir Harry Gibbs Legal Heritage* centre.

For the Library, the priority of the coming year is to successfully navigate this time of consolidation and rejuvenation from which it will emerge with a new location featuring custom-designed facilities; a streamlined and optimised technology infrastructure; and a revitalised staff structure. Together, these elements will form a springboard for a new era in Library product and service innovation.

Specific activities in 2011-12 will include:

- Completion and opening of the Sir Harry Gibbs Legal Heritage Centre, a state of the art facility for preserving and showcasing the Library's growing collection of legal heritage material. Prominently located in the foyer area of the new building, it will engage visitors to the Courts with themed exhibitions, unique items of legal history and interactive design features. The inaugural exhibition will trace the story of Queensland's legal history over the past 150 years.
- Continued refinement and development of Library information systems to establish a robust, adaptable technology framework capable of supporting and delivering sophisticated information services in multiple formats, including smartphone applications. These systems will offer unprecedented opportunity to consolidate datasets with partnership organizations, such as the ICLR, to provide a collaborative, unified and cost-effective online legal library and information service for Queensland.
- A strategic review of the Library's operational and staffing structure, to support the range and depth of innovative capabilities necessary to thrive in this new era of information services. This year, preliminary work was undertaken towards a review of the current staffing structure and identifying skill shortages as they relate to priority projects. Specialist positions, particularly in technology and

online research areas, will be developed to fully harness the opportunities of the new systems and deliver outstanding law library services to clients across Queensland.

Appendices

Appendix 1: Practice Directions

The following Practice Directions were issued by the Chief Judge during the year and are available on the Queensland Courts website, www.courts.qld.gov.au.

District Court

Table 5: District Court practice directions

Number	Description	Date issued
2010/03	Commercial List: District Court	29 October 2010
2010/04	Changes of address for service in accordance with Practice Directions of the Supreme Court	10 November 2010
2010/05	Designation of Court Holidays Registry 27 December 2010 to 3 January 2011	30 November 2010

Planning and Environment Court

Table 6: Planning and Environment Court

Number	Description	Date issued
2010/02	Changes of Address for Service in accordance with Practice Directions of the Supreme Court	12 November 2010
2010/03	Notice of Decision pursuant to s 376 of the Sustainable Planning Act 2009	1 December 2010
2011/01	Early resolution of infrastructure charges and development approval conditions disputes	9 May 2011
2011/02	Case management procedures	24 May 2011



District Court Associates

Appendix 2: District Court associates as at 30 June 2011

Kent Blore	Associate to Her Honour Chief Judge PM Wolfe
Maree Griffiths	Associate to His Honour Judge KJ O'Brien
Samantha Watkins	Associate to His Honour Judge KS Dodds (Maroochydore) (until 17 April 2011)
Lachlan Crombie	Associate to His Honour Judge HWH Botting
Lewis Napa	Associate to His Honour Judge MJ Noud
Erin Kay	Associate to His Honour Judge PD Robin QC
Lauren McCann	Associate to His Honour Judge JE Newton (Southport)
Victoria Fleetwood	Associate to His Honour Judge JM Robertson (Maroochydore)
Jack Gardiner	Associate to His Honour Judge DJ McGill SC
Alana Nisbet	Associate to His Honour Judge CF Wall QC (Southport)
Callan Lloyd	Associate to His Honour Judge N Samios
Gordon Roberts	Associate to His Honour Judge GT Britton SC (Rockhampton)
Leticia Brown	Associate to Her Honour Judge D Richards (Ipswich)
Kylie Burton	Associate to Her Honour Judge S Bradley (Ipswich)
Matt Garozzo	Associate to His Honour Judge MJ Shanahan
Kate Wheatland	Associate to Her Honour Judge JM Dick SC
Hannah Lalo	Associate to His Honour Judge MP Irwin
David Thorpe	Associate to His Honour Judge ME Rackemann
Patrick Ritchie	Associate to His Honour Judge WH Tutt
Andrew Poulton	Associate to His Honour Judge MJ Griffin SC
Michael Bonasia	Associate to Her Honour Judge JA Ryrie
Jessica Tyzack	Associate to His Honour Judge IFM Dearden (Beenleigh)
Anabel Newton	Associate to Her Honour Judge FY Kingham (Southport)
Sarah Quigley	Associate to His Honour Judge SG Durward SC (Townsville)
Michael Larsen	Associate to His Honour Judge AJ Rafter SC
Joshua Close	Associate to His Honour Judge TD Martin SC
Michael Elliott	Associate to His Honour Judge DG Searles
Stephanie Francis	Associate to His Honour Judge GJ Koppenol (Ipswich)
Ella Gunn	Associate to His Honour Judge DC Andrews SC
Leah Ferris	Associate to Her Honour Judge LJ Clare SC
Jayde Geia	Associate to His Honour Judge WG Everson (Cairns)
Jennifer Roan	Associate to His Honour Judge BG Devereaux SC
Bonnie O'Brien	Associate to Her Honour Judge KM McGinness (Southport)
Leaha Schell	Associate to His Honour Judge KD Dorney QC
Kasey McAuliffe	Associate to His Honour Judge RS Jones
Monique Sheppard	Associate to His Honour Judge BA Harrison (Cairns)
Renee Gregor	Associate to His Honour Judge DA Reid
Brittany Witherspoon	Associate to His Honour Judge JR Baulch SC (Townsville)
Portia Costello	Associate to His Honour Judge GP Long SC (Maroochydore)
Lisa Saunders	Associate to His Honour Acting Judge BW Farr SC

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