

DISTRICT COURT OF QUEENSLAND

ANNUAL REPORT
2018–19



DISTRICT COURT
OF QUEENSLAND



**DISTRICT COURT OF
QUEENSLAND**

CHAMBERS OF CHIEF JUDGE O'BRIEN

31 October 2019

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Dear Attorney

Pursuant to s.130A (1) of the *District Court of Queensland Act 1967*, I enclose my report on the operation of the District Court of Queensland for the year ended 30 June 2019.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'KJ O'Brien', written over a circular blue ink stamp.

Chief Judge KJ O'Brien

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Chief Judge's overview

Introduction

This is the 23rd annual report of the District Court of Queensland, dealing with the organization, operation and performance of the court in 2018-19. The workload of the court is significant as it is one of the largest and busiest of the higher courts in Australia.

The court's performance and workload during the 2018-19 year 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*.

Disposition of Caseload - Overview

Criminal

On the criminal side there were 7,838 lodgments during the year. At year's end the number of outstanding matters was 2,846 with 7,742 matters having been finalised. This represents a clearance rate of 98.8 percent.

Of the outstanding matters 15.9 percent were more than 12 months old (from date of indictment presentation) and 4.4 percent were more than 24 months old. These categories would include matters where orders for retrials were made on appeal and matters awaiting determination in the Mental Health Court.

Civil

On the civil side there were 4,452 lodgments with 4,735 matters being finalised. This represents a clearance rate of 106.4 percent. At year's end there were 4,332 outstanding matters of which 22.8 percent were more than 12 months old and 4.9 percent were more than 24 months old.

Appeals

During the year 72 civil appeals and 365 criminal appeals were lodged in the Court. Of those 64 civil matters (88.9 percent clearance rate) and 349 criminal matters (95.6 percent clearance rate) were finalised. At year's end there were 76 civil appeals and 244 outstanding criminal appeals.

Of the outstanding civil appeals, 32.9 percent were more than 12 months old and 17.1 percent more than 24 months old.

Planning and Environment

During the year 530 matters were before the Planning and Environment Court. At year's end there were 470 outstanding matters with 530 matters having been completed. This represents a clearance rate of 100 percent. Of the outstanding matters, 33.8 percent were more than 12 months old from the date of filing and 11.3 percent more than 24 months old.

In light of the factors referred to above and set out in greater detail below, the court's performance and workload in 2018-19 has been most creditable. The dedication of the court's 39 judges has done much to ensure the efficient and timely disposition of the lists though the rise in the volume of criminal work has made this task increasingly difficult.

Overall Comments

As in past years the greatest proportion of the Court's work involved the criminal list. Although the number of criminal lodgments continued to grow during the year, that growth was not so great as it has been in previous years (13.1 percent in 2017-18, 10.5 percent in 2016-17 and 6 percent in 2015-16).

It is again important to note that the statistics provided do not include other hearings such as applications and pre-trial hearings which form no part of the data collated by the Commonwealth

Productivity Commission's Annual Report on Government Services (RoGS). Legislative changes, such as the introduction of the Privileged Counselling Provisions of the *Evidence Act 1977* continue to contribute to the increased length and complexity of those hearings and have placed continued strain on judicial resources

Notwithstanding the increase in the number of criminal lodgments (147 defendants) compared to last year, criminal finalisations increased by 5.3 percent (392 defendants) compared to 2017-18. The criminal clearance rate for this year was 98.8 percent compared to 95.6 percent last year.

Since 2013-14 the number of criminal lodgments in this Court has increased by 42.8 percent from 5,489 to 7,838 in the current year. In 2013-14 the number of active pending defendants in this Court was 1,759 for the current year it is 2,846.

These figures demonstrate that notwithstanding the extraordinary efforts of the Judges of this Court, there has been inevitably an increase in the backlog of cases awaiting disposal.

In my previous reports I have called for the appointment of additional Judges to the District Court. In 2017-18 the Queensland Law Society had called for the appointment of at least five additional such Judges. It is pleasing to note that during the year the Honourable Minister for Justice and Attorney-General announced the appointment of an additional Judge to the Court. Grateful though I am for that appointment, the addition of one Judge should not be regarded as adequate to address the growing burdens placed upon the resources of the Court. It remains the case that, notwithstanding the court's workload, the Queensland District Court has fewer judges per head of population than does any other equivalent Australian Court.

A matter of increasing concern is the adequacy of the Court's existing ICT systems generally. I have raised this matter in the past and have referred previously to the call made by the Queensland Law Society for greater investment in electronic Court technology. It is pleasing to note that during the year funding was obtained to begin the establishment of an up to date technology foundation, part of which would allow the replacement of the Queensland Jury Administration System and the Civil Listing Administration and Information Management System. What remains of concern is the apparent lack of progress with the development of an electronic lodgment system and with the establishment of an IT system within the Court which is separate and independent of the Department's systems.

During the year under review, two long serving judges of the court retired. It is essential that, in the event of any such retirements, replacement judges should be appointed without delay. To do otherwise creates great disruption to the court's list and serves to place additional pressures on a court in which judicial resources are already overstretched.

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.

The court has responsibility for indictable criminal offences, the trials of which are usually heard by a judge and jury, but on occasions by a judge alone. It deals with most of the serious criminal cases.

The trend towards more lengthy and complex civil and criminal trials continues. Although the increasing use of the eTrials system has led to greater efficiencies in the disposition of the larger commercial and planning cases as well as the more complex fraud trials, the average criminal trial length increased to 3.4 days in 2018-19, leading to an increase of 5.5 percent (110) in the total days where a jury was empanelled. At the same time, the number of criminal trials proceeding increased by 3 percent (16 trials). This has meant a slight increase in the number of jurors empanelled.

Criminal lodgments for the year rose by 1.9 percent (147 defendants) from the corresponding period in 2017-18. Although the total number of matters disposed of increased from 7,350 to 7,742, the percentage of defendants with a case age of more than 24 months remained fairly stable at 4.4 percent compared with 4.4 percent in the previous year. The clearance rate at State level increased to 98.8 percent from 95.6 percent in 2017-18. The number of active pending defendants increased from 2,742 to 2,846 in the year under review

In Brisbane, 2,579 new cases were presented during the year and the court ended the year with 1,006 outstanding criminal cases (976 last year), having disposed of 2,513 matters (2,479 last year). The clearance rate in Brisbane increased to 97.4 percent this year from 96.6 percent last year. Of the outstanding cases, 13.6 percent were more than 12 months old from the date of presentation of indictment (15.8 percent last year), and 4.8 percent were more than 24 months old (4.8 percent last year).

In the major regional centres where judges are based – Beenleigh, Cairns, Ipswich, Maroochydore, Rockhampton, Southport and Townsville – a total of 4,040 new cases were presented during the year and those major centres ended the year having disposed of 3,710 cases, with 1,400 outstanding.

Across the State where Judges are based the number of criminal lodgments remained relatively stable, the notable exception being Beenleigh where there was an increase of 24 percent (134 additional lodgments) from 555 in 2017-18 to 689 in the current year. Beenleigh in the year under review had more criminal lodgments than any of Cairns, Ipswich, Maroochydore, Rockhampton or Townsville. The court facilities at Beenleigh, which can accommodate only one trial judge at any given time, are woefully inadequate to deal with this volume of work.

Affected child witnesses

Matters involving child witnesses, and most matters involving offences of a sexual nature involve child witnesses, are complex and time consuming.

Many children are required to give evidence in matters involving charges of sexual or violence offences. During 2018-19 the judges ordered 275 pre-recordings involving 553 witnesses for the District Court or the Childrens Court. Not all the pre-recordings ordered take place as, not infrequently, defendants plead guilty soon after the order is made. Moreover 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 6-10 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 video recordings, 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 recordings of a child's earlier police interview, which are prepared outside the court, but are played to juries pursuant to s 93A of the *Evidence Act 1977*.

Civil

The statistics based on numbers of civil filings in various centres do not reveal the growth in complexity of the court's civil workload.

During 2018-19 there were 4,452 new civil cases lodged in the court (4,928 last year), with 4,735 matters finalised (4,977 last year). The number of active pending matters declined from 4,622 in 2017-18 to 4,332 in the current year. The civil clearance rate was 106.4 percent compared with 101 percent last year. The percentage of active cases older than 12 months was 22.8 percent this year (19.8 percent last year) and the percentage of active cases older than 24 months remained steady (4.9 percent compared to 4.2 percent last year).

In Brisbane there were 3,584 new cases (3,993 last year) and a slight decrease in the number of cases finalised (3,823 compared to 4,134 in 2017-18) resulted in a clearance rate of 106.7 percent (103.5 percent last year). In Brisbane, 21.9 percent of active cases were older than 12 months with 4.8 percent of active cases older than 24 months. These figures remain relatively static compared to the previous year.

District Court Commercial List

A Commercial List was established in October 2010. The list was established pursuant to Practice Direction No 3 of 2010, since superseded by Practice Direction No 4 of 2016 issued 20 May 2016 in view of the court's monetary jurisdiction increasing to \$750,000 from 1 November 2010. During the year the Commercial List judges were Judge McGill SC, Judge Andrews SC, Judge Jones, Judge Muir, Judge Kefford Judge Porter QC and Judge Barlow QC.

Criminal appeals

During the year, a total of 365 criminal appeals were lodged with the court (369 last year) and 349 were finalised, ending the year with 244 active cases and a 95.6 percent finalisation rate. The percentage of

active cases older than 12 months was 22.1 percent (19.8 percent last year) and the percentage older than 24 months was 9 percent (7 percent last year).

Planning and Environment Court

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

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, Southport, Maroochydore, Townsville or Cairns are accessible through the Queensland Courts website [eCourts](http://www.courts.qld.gov.au/information-for-lawyers/search-civil-files-ecourts) facility:

<http://www.courts.qld.gov.au/information-for-lawyers/search-civil-files-ecourts>.

This court has maintained the high international recognition which it has received for its achievements - the efficiency of its unique structure as an adjunct of the District Court, and as a world leader in individual case management; its alternative dispute resolution process; its efficient management of expert evidence; its regional service and the commitment of its judges to ongoing review and reform. Subject to the direction of the Chief Judge, Judge Michael Rackemann has responsibility for the management and operation of the Planning and Environment Court.

The number of lodgments in this jurisdiction has remained stable – 530 new cases compared to 546 in 2017-18.

The court achieved a clearance rate of 100 percent ending the year with 470 outstanding cases and having disposed of 530 matters. Of the outstanding cases, 33.8 percent were more than 12 months old (from date of filing), and 11.3 percent were more than 24 months old. Some cases may take this long due to their complexity and the number of parties involved in the hearings.

In Brisbane, where the longer cases are heard, the court ended the year with 393 outstanding cases having disposed of 466 matters, achieving a clearance rate of 98.3 percent. Of the outstanding cases, 34.1 percent were more than 12 months old and 11.5 percent were more than 24 months old.

The court offers litigants a no-cost ADR service. This has been internationally recognised as providing visionary ADR access to justice.

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 AM was the president of the Childrens Court from February 2011 until 31 December 2018. Judge Richards is the current President. There are 31 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. Where necessary they have received judicial support from judges from other centres, particularly from Brisbane judges.

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 Cape (Weipa/Napranum, Kowanyama, Aurukun, Pormpuraaw and Lockhart River), Thursday Island, and Woorabinda. It was not necessary this year for the court to sit in the Gulf centres

of Mornington Island, Doomadgee or Normanton as the limited number of matters from those locations were dealt with in Mount Isa.

Practice Directions

During the year, 8 District Court Practice Directions were issued, and 2 were issued for the Planning and Environment Court.

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 Executive Director of the Supreme, District and Lands Courts Service and other senior officers throughout the year. Its purpose is to keep the courts informed about actual and proposed departmental initiatives for the 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 Justice Douglas of the Supreme Court, included the Chief Justice, Justice Morrison and Justice Bond, and from the District Court Judge McGill SC and Judge Rackemann. 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 AM, Judge Rafter SC and Judge Moynihan QC contributed on behalf of the District Court. The committee works over extended periods updating and adding to this essential and important work.

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: including sittings in the regional centres of Cairns, Townsville, Toowoomba and Maroochydore.

During the year I met with the leaders and representatives of the many organisations principally involved in the justice system, such as the Queensland Bar Association, the Queensland Law Society, the Director of Public Prosecutions, Legal Aid Queensland, law school academics, 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 regular 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, the Executive Director of the Supreme District and Land Courts Service 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 involved in the organisation of the District Court and its registries, meetings of the Supreme Court Library Committee, the Focus Group, and other conferences, seminars and forums in Queensland and elsewhere.

In February, I attended a meeting of the Council of Chief Judges from all equivalent jurisdictions within Australia and New Zealand. These meetings, held biennially, provide an important opportunity for the exchange of information between heads of jurisdictions.

Continuing judicial professional development

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. 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 40 judges are together, as 13 of the judges have permanent chambers in various parts of Queensland outside Brisbane.

During the year the judges delivered papers at conferences and seminars throughout the State. It is particularly pleasing to note the contribution made by the judges to continuing legal education programs conducted by the Queensland Bar Association and by the Queensland Law Society.

Associates' appointments

Associates are 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*).

Access to the Court

Court Network

The Court Network, a volunteer service, has operated in the District Court in Brisbane since December 2007, giving support and non-legal information and referral services to court-users attending at the court, whether as litigants or witnesses or their families and supporters. It receives referrals from various services, departments and other persons. The volunteers may be found in the courtrooms and elsewhere throughout the QE II Courthouse. Court Network also operates in Cairns and Townsville.

The volunteers 'support court-users in the courtroom and familiarise them with the courthouse. They also provide court-users with a safe place in the courthouse and refer them to those community services or charities which can provide relevant assistance. During the year, court users were assisted in Brisbane, Townsville and Cairns Courts.

Court Network provides a second service in Brisbane with an information and Justice of the Peace service based at the Information Kiosk in the QE II Courthouse.

LawRight

LawRight formerly QPILCH provides the Self Representation Civil Law Service in the QE II Courthouse. The service assists litigants in person prepare for a civil action in the District or the Supreme Court. Completely independent of the courts and government, the service is designed to assist litigants without legal representation take the practical steps necessary to have their case fully heard and determined.

Self Represented Litigants Service

The Self Represented Litigants Service also began in December 2007. It is to be found on the ground floor of QE II Courthouse 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.

Judicial appointments

On 2 July 2018, Mr Glen Cash QC was appointed and sworn-in as a Judge of the District Court of Queensland in the QEII Courts of Law Brisbane.

On 17 December 2018, Mr John Allen QC was appointed and sworn-in as Judge of the District Court of Queensland in the QEII Courts of Law Brisbane.

On 17 December 2018, Ms Vicki Lory QC was appointed and sworn-in as a Judge of the District Court of Queensland in the QEII Courts of Law Brisbane.

On 18 June 2019, Mr Ken Barlow QC was appointed and sworn-in as a Judge of the District Court of Queensland in the QEII Courts of Law Brisbane.

Judicial retirements

Judge Brendan Butler AM SC, who was appointed to the District Court of Queensland on 15 September 2008, retired on 8 November 2018.

Judge David Andrews SC, who was appointed to the District Court of Queensland on 2 April 2008, retired on 6 May 2019.

Acknowledgement

Once again, the Judicial Administrator, Judge Smith, has assisted and supported me in the due administration of the court.

I thank the judges, officers of the registry, the court's administrative staff, and the Director-General and his staff, for their dedication to the effective discharge of the court's undertaking 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 | His Honour Judge Kerry John O'Brien |
| Judge Administrator | His Honour Judge Paul Edward Smith |
| Judges | His Honour Judge Douglas John McGill SC Her Honour Judge Deborah Richards His Honour Judge Michael John Shanahan AM Her Honour Judge Julie Maree Dick SC His Honour Judge Michael Edward Rackemann Her Honour Judge Julie Ann Ryrie His Honour Judge Ian Francis Macrae Dearden His Honour Judge Anthony John Rafter SC His Honour Judge Gregory John Koppenol His Honour Judge David Charles Andrews SC Her Honour Judge Leanne Joy Clare SC His Honour Judge William Garth Everson His Honour Judge Brian Gerard Devereaux SC Her Honour Judge Katherine Mary McGinness (Southport) His Honour Judge Richard Stephen Jones His Honour Judge David Andrew Reid His Honour Judge Gary Patrick Long SC (Maroochydore) His Honour Judge Bradley Wayne Farr SC His Honour Judge Alexander Adrian Horneman-Wren SC (Ipswich) His Honour Judge Dean Patrick Morzone QC (Cairns) His Honour Judge Michael John Burnett AM (Rockhampton) Her Honour Judge Suzanne Catherine Sheridan His Honour Judge Anthony William Moynihan QC His Honour Judge David Robert Kent QC (Southport) His Honour Judge Milon Craig Chowdhury (Beenleigh) Her Honour Judge Catherine Mary Muir (Southport) Her Honour Judge Nicole Jane Kefford His Honour Judge Dennis Raymond Lynch QC (Ipswich) His Honour Judge Gregory Paul Lynham (Townsville) His Honour Judge Bernard Thomas Porter QC Her Honour Judge Jennifer Marie Rosengren Her Honour Judge Tracy Fantin (Cairns) His Honour Judge Michael Williamson QC His Honour Judge John McGilchrist Coker (Townsville) His Honour Judge Nathan Jarro His Honour Judge Glen Cash QC (Maroochydore) His Honour Judge John Joseph Allen QC (also on QCAT duties) Her Honour Judge Vicki Ann Lorry QC |

Regional, planning and childrens court judges

Regional judges

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

| | |
|--------------|------------------------|
| Maroochydore | Judge Long SC |
| | Judge Cash QC |
| Southport | Judge McGinness |
| | Judge Kent QC |
| | Judge Muir |
| Townsville | Judge Lynham |
| | Judge Coker |
| Rockhampton | Judge Burnett AM |
| Ipswich | Judge Horneman-Wren SC |
| | Judge Lynch QC |
| Cairns | Judge Morzone QC |
| | Judge Fantin |
| Beenleigh | Judge Chowdhury |

Planning and Environment Court

The Planning and Environment Court judges during 2018-19 are listed below:

| | |
|------------------------|---------------------|
| Chief Judge O'Brien | Judge Morzone QC |
| Judge Richards | Judge Kent QC |
| Judge Rackemann | Judge Muir |
| Judge Rafter SC | Judge Kefford |
| Judge Andrews SC | Judge Fantin |
| Judge Everson | Judge Williamson QC |
| Judge Jones | Judge Coker |
| Judge Long SC | Judge Cash QC |
| Judge Horneman-Wren SC | |

Childrens Court of Queensland

The Childrens Court judges during 2018-19 are listed below:

| | |
|----------------------------|---------------------|
| Chief Judge O'Brien | Judge Burnett AM |
| Judge Smith | Judge Moynihan QC |
| Judge Richards - President | Judge Kent QC |
| Judge Shanahan AM | Judge Chowdhury |
| Judge Dick SC | Judge Muir |
| Judge Dearden | Judge Kefford |
| Judge Rafter SC | Judge Lynch QC |
| Judge Clare SC | Judge Lynham |
| Judge Everson | Judge Porter QC |
| Judge Butler AM SC | Judge Rosengren |
| Judge Devereaux SC | Judge Fantin |
| Judge McGinness | Judge Williamson QC |
| Judge Reid | Judge Coker |
| Judge Long SC | Judge Jarro |
| Judge Farr SC | Judge Cash QC |
| Judge Horneman-Wren SC | Judge Allen QC |
| Judge Morzone QC | Judge Lory QC |

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 Learning and Development Committee; the Rules Committee and the District Court judges' committees.

Organisation 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

Information about the organisation and practices of the court, including calendar, law lists and practice directions are published on the Queensland Court's website.

Criminal jurisdiction

In practice the court deals with all indictable matters other than homicides and the most serious drug offences. The great majority of all defendants charged on indictment came before the District Court in 2018-19. 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.

During the year the Chief Judge with assistance from other judges, managed the criminal list in Brisbane. In the regions, the lists are managed by the resident judges.

For the larger circuit centres, Judge Long SC had special responsibility for the Gympie and Kingaroy lists, Judge Reid for Maryborough and Hervey Bay, Judge Dick SC for the Mackay lists, Judge Richards for Toowoomba, Judge Dearden for Mount Isa and Judge Clare SC for Bundaberg.

The criminal workload has become manageable through careful case management in Brisbane and in the regional centres as well as in the larger circuit centres, and with regular reviews and case management the Office of the Director of Prosecutions, Legal Aid Queensland and the profession are well aware, as matters pass through the court, of the likely course the matter will take.

This is more difficult for the court in the rural and remote centres. The judges hold callovers and reviews by telephone well before the circuit starts. However it is rare that a prosecutor and defence counsel visit the circuit centre to confer with litigants or witnesses well before the circuit is to start. Consequently, despite the judge's efforts, a plea on the morning of the trial or a late request for an adjournment is more likely in those places.

Cairns encounters problems rarely experienced in south-east Queensland. The court at Cairns covers a sparsely populated area approaching the size of Victoria. Distance is an obstacle to litigants' and witnesses' availability for trials, hearings and conferences with counsel.

Judicial case management of the criminal lists endeavours to ensure that most of the matters which finally result in a guilty plea or nolle prosequi are identified much earlier than was the practice a decade or so ago. Statistics clearly demonstrate that in the larger centres the trials which resolve on the first day by reason of a 'late' guilty plea or nolle prosequi, are much fewer.

Depending upon the lists, each year the judges might sit at up to 38 centres throughout Queensland — that is in Brisbane, the seven regional centres, 24 other centres where jury trials can be held, and some of the 15 remote or Aboriginal and Torres Strait Islander communities, including those in the Gulf, Cape and Torres Strait.

Table 1: The activity of the District Court criminal list 2018-19

| | Number of Defendants ¹ | | | Clearance Rates ⁴ | Backlog Indicator ⁵ | |
|--|-----------------------------------|--------------|--------------|------------------------------|--------------------------------|-------------|
| | Lodged | Finalised | Active | | % > 12 mths | % > 24 mths |
| Brisbane | 2,579 | 2,513 | 1,006 | 97.4% | 13.6% | 4.8% |
| Regional centres | | | | | | |
| Beenleigh | 689 | 592 | 311 | 85.9% | 24.8% | 6.8% |
| Cairns | 561 | 518 | 196 | 92.3% | 11.7% | 5.6% |
| Ipswich | 618 | 573 | 199 | 92.7% | 10.1% | 3.0% |
| Maroochydore | 522 | 447 | 161 | 85.6% | 11.2% | 4.3% |
| Rockhampton | 298 | 241 | 73 | 80.9% | 6.8% | 2.7% |
| Southport | 760 | 820 | 322 | 107.9% | 27.6% | 5.0% |
| Townsville | 592 | 519 | 138 | 87.7% | 12.3% | 1.4% |
| Total for Brisbane and regional centres | 6,619 | 6,223 | 2,406 | 94.0% | 16.0% | 4.7% |
| Circuit centres | | | | | | |
| Bowen | 11 | 19 | 3 | 172.7% | 0.0% | 0.0% |
| Bundaberg | 131 | 166 | 20 | 126.7% | 25.0% | 10.0% |
| Charleville | 10 | 15 | 6 | 150.0% | 16.7% | 0.0% |
| Charters Towers | 14 | 24 | 5 | 171.4% | 20.0% | 0.0% |
| Clermont | - | - | - | - | - | - |
| Cloncurry | - | - | - | - | - | - |
| Cunnamulla | - | - | - | - | - | - |
| Dalby | 41 | 62 | 21 | 151.2% | 9.5% | 4.8% |
| Emerald | 37 | 48 | 16 | 129.7% | 6.3% | - |
| Gladstone | 88 | 108 | 19 | 122.7% | 15.8% | 5.3% |
| Goondiwindi | 7 | 15 | 2 | 214.3% | - | - |
| Gympie | 45 | 81 | 50 | 180.0% | 22.0% | 6.0% |
| Hervey Bay | 80 | 86 | 26 | 107.5% | 11.5% | - |
| Hughenden | - | - | - | - | - | - |
| Innisfail | 9 | 20 | 12 | 222.2% | 16.7% | - |
| Kingaroy | 54 | 70 | 20 | 129.6% | 30.0% | - |
| Longreach | - | 1 | 3 | - | - | - |
| Mackay | 237 | 246 | 41 | 103.8% | 9.8% | 4.9% |
| Maryborough | 56 | 87 | 25 | 155.4% | 52.0% | 16.0% |
| Mt Isa | 94 | 153 | 54 | 162.8% | 13.0% | - |
| Roma | 11 | 24 | 12 | 218.2% | - | - |
| Stanthorpe | - | - | - | - | - | - |
| Toowoomba | 271 | 261 | 68 | 96.3% | 8.8% | - |
| Warwick | 23 | 33 | 36 | 143.5% | 2.8% | - |
| Total for circuit centres | 1,219 | 1,519 | 440 | 124.6% | 15.0% | 3.0% |
| State total | 7,838 | 7,742 | 2,846 | 98.8% | 15.9% | 4.4% |

- (1) 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.
- (2) The unit of measurement of workload is the number of defendants per case. Where a case has multiple defendants each defendant is counted separately. Where the same defendant has two cases lodged on the same day they are counted as two lodgments. Where the same defendant has multiple cases lodged on different days they are counted once for each case.
- (3) The above figures are not comparable to previous years due to the change in counting rule as outlined in (2). In previous years a defendant who had two cases lodged on the same day was counted once whereas it is now counted twice.
- (4) Clearance Rate: Finalisations/Lodgments
- (5) Backlog Indicator: the number 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 (new)

| | RoGS Non Appeal Cases | | | Clearance Rate * | Backlog Indicator | |
|-------------|-----------------------|-----------|--------|---------------------|-------------------|----------------|
| | | | | | From filing date | |
| | Lodged | Finalised | Active | | % > 12 mths | % > 24 mths |
| Brisbane | 3,584 | 3,823 | 3,441 | 106.7% | 21.9% | 4.8% |
| State Total | 4,452 | 4,735 | 4,332 | 106.4% | 22.8% | 4.9% |

*Clearance rate - finalisations/lodgments

Backlog Indicator: the number active defendants with proceedings older than the specified time.

Commercial List

The District Commercial List was established, in October 2010. The list was established pursuant to Practice Direction No 3 of 2010, since superseded by Practice Direction No 4 of 2016 issued 20 May 2016 in view of the court's monetary jurisdiction increasing to \$750,000 from 1 November 2010.

The Commercial List judges are Judge McGill SC, Judge Andrews SC, Judge Jones, Judge Muir, Judge Kefford, Judge Porter QC and Judge Barlow 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.

Appellate jurisdiction

During the year this court heard and determined 365 criminal appeals and 72 civil appeals from the Magistrates Court.

Case management of appeals to the District Court continued with regular reviews of outstanding appeals throughout the year.

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

Table 3: Clearance rate in criminal and civil appeals (new)

| | RoGS Appeal | | | Clearance Rate * | Backlog Indicator | |
|-------------|-------------|-----------|--------|------------------|-------------------|-------------|
| | | | | | From filing date | |
| Civil | Lodged | Finalised | Active | | % > 12 mths | % > 24 mths |
| Brisbane | 33 | 31 | 44 | 93.9% | 38.6% | 20.5% |
| State Total | 72 | 64 | 76 | 88.9% | 32.9% | 17.1% |
| | | | | | | |
| Criminal | | | | | | |
| Brisbane | 181 | 161 | 132 | 89.0% | 20.5% | 7.6% |
| State Total | 365 | 349 | 244 | 95.6% | 22.1% | 9.0% |

*Clearance rate - finalisations/lodgments

Backlog Indicator: the number active defendants with proceedings older than the specified time.

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 exceptions of Beenleigh and Rockhampton a Planning and Environment Court judge is based in each regional centre. The court may sit anywhere.

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 continued 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.

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 and 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 active list supervision, individual case management and the comprehensive deployment of ADR mechanisms.

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. The court's management of experts is recognised as one of the best in the common law world.

A large number of cases are finalised without proceeding to a full hearing. The court's ADR service is free of cost to the parties and is provided throughout the State. Parties may avail themselves of the ADR service by agreement or pursuant to an order of the court.

The court's ADR Registrar conducts mediations; convenes and chairs without prejudice meetings, meetings of experts and case management conferences. Mediations and other ADR processes were conducted not only in Brisbane, but in centres across the State. The court's ADR service has been recognised internationally as providing visionary ADR access to justice.

The number of active pending matters was 470, and the number of new matters was 530. As noted above, 530 matters were finalised during the year representing a clearance rate of 100 percent.

Table 4: Clearance rate in planning and environment cases

| Planning and Environment Court 2018-19 | | | | | | |
|--|--------|-----------|--------|-----------|-------------------|-------------|
| | | | | Clearance | Backlog Indicator | |
| | | | | Rate * | From filing date | |
| | Lodged | Finalised | Active | | % > 12 mths | % > 24 mths |
| Brisbane | 474 | 466 | 393 | 98.3% | 34.1% | 11.5% |
| State Total | 530 | 530 | 470 | 100.0% | 33.8% | 11.3% |

*Clearance rate - finalisations/lodgments

Backlog Indicator: the number active defendants with proceedings older than the specified time.

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 people being held on remand. They also determine appeals pursuant to section 117 of the *Child Safety Act 1999* and applications under the *Surrogacy Act 2010*.

The Children's Court of Queensland is a specialist jurisdiction established under the *Childrens Court Act 1992*. The President of the Court was Judge Shanahan AM until 31 December 2018 and the current President is Judge Richards. There are presently 32 judges of the Court holding commissions under the Act available to sit as Childrens Court judges.

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 13 of the judges are based:

- Cairns
- Rockhampton
- Townsville
- Maroochydhore
- Southport
- Ipswich
- Beenleigh

Judges also travel on circuit to other centres throughout the State and regional judges sit in Brisbane periodically during the year. 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

Judge Morzone QC

Judge Fantin

Judge Morzone QC and Judge Fantin were the resident judges in Cairns managing 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.

Rockhampton

Judge Burnett AM

The resident judge in Rockhampton, Judge Burnett AM, who also holds a commission in the Childrens Court of Queensland, managed the court's Rockhampton lists. Rockhampton is also served by the Supreme Court's Central Judge. Judge Burnett AM undertook circuits in the region and elsewhere in the state. Some assistance was provided by judges on circuit from other centres.

Townsville

Judge Lynham

Judge Coker

Judge Lynham and Judge Coker were the resident judges during the year. Townsville is also served by the Supreme Court's Northern Judge. Judge Durward AM and Judge Coker holds a commission in the Planning and Environment Court. Judge Lynham and Judge Coker hold commissions in the Childrens Court. They also undertake circuits in their region, principally to Bowen, Charters Towers and Hughenden. Some assistance was provided by judges on circuit from other centres.

Maroochydore

Judge Long SC

Judge Cash QC

Judge Long SC and Judge Cash QC 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 a little 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.

The Maroochydore-based judges undertake much of the circuit work at Gympie, Kingaroy as well as assisting with Hervey Bay. The Kingaroy district includes the largely indigenous community of Cherbourg and the judges visit the nearby town of Murgon on circuit. Both judges undertake some circuit work elsewhere in the state.

Southport

Judge McGinness

Judge Kent QC

Judge Muir

Each of the three judges located at Southport hold a commissions as a Childrens Court judge and Judge Kent QC and Judge Muir hold Planning and Environment Court commissions. The judges from time to time perform circuit work at centres elsewhere in the State. Southport also receives judicial support from Brisbane as required.

Ipswich

Judge Horneman-Wren SC

Judge Lynch QC

Judge Horneman-Wren SC and Judge Lynch QC dealt with the Ipswich caseload. Judge Horneman-Wren and Judge Lynch hold commissions in the Childrens Court of Queensland, and Judge Horneman-Wren is also a Planning and Environment Court Judge. The judges undertook circuits to other centres as required.

Beenleigh

Judge Chowdhury

Judge Chowdhury is the resident judge in Beenleigh. The judge also conducted circuits in other centres. Considerable assistance was provided by judges on circuit from other centres. Judge Chowdhury also holds a commission in the Childrens Court of Queensland.

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 may 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 39 centres (excluding those with a resident judge) where judges may 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.

Judges' committees

The membership of the judges' committees as at 30 June 2018, with the Chief Judge an ex officio member of each committee, was as follows:

Civil Procedure and Rules

Convenor: Judge McGill SC
Members: Judge Kent
Judge Porter QC

Court Excellence

Convenor: Judge Horneman-Wren SC
Members: Judge Smith
Judge Rackemann
Judge Rafter SC
Judge Jones
Judge Reid
Judge Farr SC
Judge Morzone QC
Judge Sheridan
Judge Moynihan QC
Judge Kent QC

Criminal Law

Convenor: Judge Shanahan AM
Members: Judge Richards
Judge Dick SC
Judge Dearden
Judge Rafter SC
Judge Martin SC
Judge Everson
Judge McGinness
Judge Farr SC
Judge Moynihan QC
Judge Kent QC

Cultural Awareness

Convenor:
Members: Judge Everson
Judge McGinness
Judge Reid
Judge Kent QC

Conference and Social Education

Convenor: Judge Dick SC
Members: Judge Richards
Judge Rackemann
Judge Dearden
Judge Reid
Judge Moynihan QC

Salaries and Entitlements

Convenor: Judge Rackemann
Members: Judge Devereaux SC

Aboriginal and Torres Strait Islander

Convenor: Judge Richards
Members: Judge Everson
Judge McGinness
Judge Reid
Judge Morzone QC
Judge Sheridan

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.

Judge McGill SC also sits on the Rules Committee and is able to provide appropriate liaison to ensure that the views of the court are ascertained and given proper consideration.

Criminal law committee

The Criminal Law Committee advised the Chief Judge with respect to numerous law reform initiatives. These included changes to the criminal law in Queensland

The Chief Judge and Judge Shanahan AM met with representatives of Protect All Children Today (PACT) with respect to the support role played by PACT volunteers in the pre-recording of affected child witnesses' evidence under Division 4A of the Evidence Act 1977.

Judicial professional development committee

During the year under review -

- Judge Shanahan AM and Judge Rafter SC represented the court on the Judicial Conference of Australia Governing Council
- Judge Dearden was a member of the USQ Law School Advisory Committee.
- Judge Muir represents the court on the National Judicial Council for Cultural Diversity. This important committee is concerned with the many aspects of cultural diversity which confronts judges in the modern Australian court.
- Judge Farr SC spent a week as "Judge in Residence" at Griffith University.
- Judge Porter QC was part of a volunteer delegation organised by the Queensland Bar Association to conduct legal training sessions at the Papua New Guinea Legal Training Institute.
- In March 2019, Judge Rafter SC was sworn in as an Acting Judge of the New South Wales District Court for the purposes of conducting a trial in that jurisdiction which could not be heard by a New South Wales Judge.

The continuing professional development of the judges was actively pursued during this year. 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 in 2007. 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.

All judges also presented papers or participated in seminars or conferences during 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 13 of the judges have permanent chambers in various parts of Queensland outside Brisbane.

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.

Office of the Executive Director

Supreme District and Land Courts Service

The Office of the Executive Director, Supreme District and Land Courts Service is responsible for the management and coordination of registry administration, as well as the provision of judicial support services for the District Court of Queensland.

Ms Julie Steel is the Executive Director and is supported by executive, administrative and registry staff throughout Queensland.

In addition to the Executive Director role, Julie is the Vice President of Protect All Children Today, having been a Board member since 2014, and is an ex-officio member of the Incorporated Council of Law Reporting, and of the Legal Practitioners Admissions Board. Julie is also a member of the Public Records Review Committee at Queensland State Archives, and of the Supreme Court Library Committee, and regularly attends meetings of the Rules Committee.

Registry Services

Court registries are responsible for:

- receiving and sealing documents for filing and service
- providing information about court processes and the progress of particular matters
- maintaining court records and ensuring that documents such as Verdict and Judgment Records 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 and
- performing all necessary administrative work associated with the criminal and civil jurisdictions of the court

There are permanent District Court registries at Brisbane, Cairns, Rockhampton and Townsville. Registrars at those centres have the responsibility of determining certain applications without the necessity for judicial involvement, such as default judgments.

Further registries are located at Beenleigh, Ipswich, Maroochydore and Southport, and 25 other centres in Queensland are visited on circuit. Local Magistrates Courts staff perform the registry duties at those times.

Registry workloads

During the year, there was a change to the Report on Government Services (RoGS) counting rules for criminal lodgments¹. As a result, criminal performance data for 2018-19 is not directly comparable to previous years.

Across the state, there were 7,838 criminal lodgments during 2018-19. In Brisbane, 2,579 criminal lodgments were received.

There were increases in criminal trials proceedings before the District Court during 2018-19, from 611 to 627, and average days per trial, from 3.3 days to 3.4 days.

RoGS civil lodgments decreased by 9.7% across the state (4,928 to 4,452).

Registries of the Supreme and District Courts are expected to undergo a period of significant transformation in the coming years as a result of future technological and legislative reform. Accordingly, temporary roles of Director, Strategy and Support, and Senior Project Officer have been created in the directorate to oversee and manage strategies that will ensure a more responsive and adaptable registry to benefit all courts' users.

¹ Further information about the change is available in footnotes 2 and 3 for table 1 on page 12 of this report.

Court Network volunteers

Court Network's volunteers again provided a range of support services to court users through its Court Network outreach and support services in Cairns, Townsville and Brisbane, and the Victim Support Unit in Brisbane, Ipswich, Sunshine Coast and Gympie. The volunteers provide court users with non-legal information, practical and emotional support, and advocacy and referrals to enable them to access justice.

During 2018-19, volunteers assisted 8,846 court users through the Brisbane Information Kiosk, 4,189 court users through the Brisbane Supreme and District court Networker service, 218 in Cairns and a further 409 in Townsville. Since the program commenced, in excess of 77,000 court users in Queensland have been assisted.

The Victim Support Unit provides coordinated cross-jurisdictional support for adult victims in the criminal justice system. During the year, more than 920 VSU clients were assisted with approximately 3,500 hours of service provided. Since commencing in September 2013, more than 2,400 clients have been assisted.

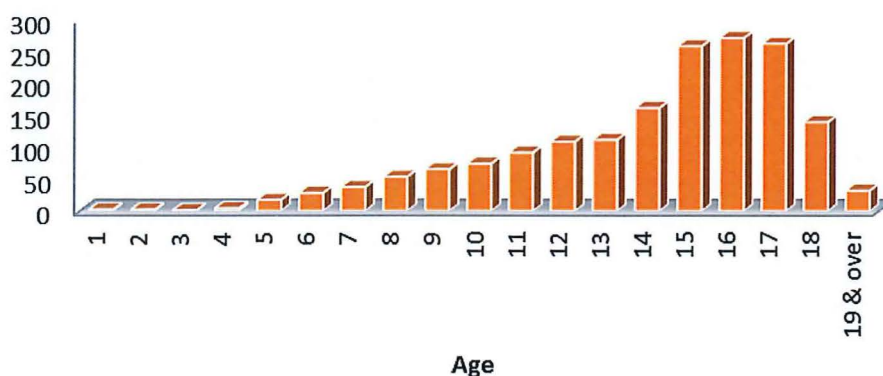
Court Network also coordinates a Justice of the Peace (JP) service in the Brisbane Supreme and District Courts. During 2018-19, the service provided 751 volunteer hours and assisted 967 clients with 3,070 documents.

Protect all Children Today (PACT) Inc.

PACT undertakes invaluable work providing support to children giving evidence in courts across Queensland as victims or witnesses to crime.

While PACT primarily provides support to children aged 16 and under, support can also be provided to children aged 17-19 if required.

Referrals By Age



During 2018-19, PACT supported 1,716 children (a decrease of 7.1% from 2017-18), bringing the number of children supported to 24,268 since PACT was established. This support is provided by 105 trained volunteers, who travelled over 49,500 kilometres, made 1,537 telephone calls and spent 5,100 hours with children and their families during 2018-19. Approximately 61% of the cases during 2018-19 involved sexual offences and 23% of cases were related to assault, including domestic violence.

Acknowledgements

The ongoing enthusiasm, commitment and professionalism of registry staff across Queensland in discharging their duties are without doubt, one of the most significant assets of the Court. Increasing workloads have been managed despite the difficulties involved and the many challenges and changes that arise have been met thanks to the professionalism and commitment of those staff.

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.

Related organisations

Supreme Court Library Queensland

The Supreme Court Library Queensland (SCLQ) was established under statute to serve the administration of justice in Queensland through provision of legal information services to the Queensland judiciary, legal profession and public. As the primary legal information provider for the state's judiciary and legal profession, the library provides a comprehensive suite of services including reference, research and document delivery, training and support, and publication of the official unreported decisions of Queensland courts and tribunals, together with a variety of current awareness services offering access to the latest developments in Queensland law. All of these services are freely available to Queensland's judges and their associates across the state.

The library maintained print collections in eight provincial courthouses in addition to the main library collection in Brisbane at the QEII Courts of Law. It also continued to service the judges' library collection on level 15 of the QEII building, and chambers collections by undertaking regular maintenance of print subscription services and processing new acquisitions. In 2018–19 our combined print collection comprised over 160,000 items, with the library purchasing 225 new monographs during the year, and maintaining over 300 print subscriptions.

For members of the judiciary their statewide desktop access to an expanding collection of over 1000 online resources available via the library's Judicial Virtual Library (JVL) is their most comprehensive, current and reliable source of legal information. In 2018–19 the library catalogue enabled access to more than 65,000 online full text titles, with 779 new records added to the catalogue during the year. During 2015–16 the library negotiated expanded access rights for many library members to a selection of the most popular online publications as part of its Virtual Legal Library (VLL) offering to the legal profession, and during 2018–19 an additional 181 Queensland legal practitioners registered for and began using this ground breaking service.

As the publishing arm of the Queensland courts, the library has maintained its commitment to timely publication of the official version of full text judgments from Queensland courts and tribunals. Most decisions are published online within an hour of being handed down, making the SCLQ website the primary and most current and authoritative access point for Queensland case law. In 2018–19 the library published over 1900 new decisions from Queensland courts and tribunals (excluding new collections). Some 239 of them were from the District Court and 61 were from the Planning and Environment Court. In addition 70 District Court pre-trial rulings were published in various places. The library also expanded the publicly available case law with the addition of historical decisions of the Queensland Industrial Relations Commission and judgments of the Industrial Court of Queensland for the period 2006 to 2009, and all content that was previously only available via the library's paid subscription service QLI Online. By the end of June 2018 the total number of full text Queensland decisions available from the library website was over 45,500.

The library is also responsible for provision and maintenance of the Queensland Sentencing Information Service (QSiS), with use of the service continuing to steadily increase. During 2018–19 there were over 46,500 visits to the QSiS database, 16% more than the previous year (and an average of 154 unique visits a day), resulting in over 830,000 page views. In the course of the year subscriptions to QSiS by sole practitioners, law firms and small public sector agencies or business units increased by 17 percent, from 691 to 806 (in addition to the 'corporate' subscriptions of major criminal justice sector agencies such as DPP, LAQ and QPS which provide access to many individuals employed by them). QSiS is relied upon by the prosecution, defence and judiciary to promote consistency and fairness in sentencing criminal offenders and is available to all judges.

Our library's websites are the primary means of accessing our information resources and services for the majority of our customers. In 2018–19 more than 7.5 million page views were recorded from the SCLQ public website, JVL, VLL and library catalogue combined. Specialist legal research tools developed by the library, including the Uniform Civil Procedure Rules Bulletin, comprise part of the wide range of legal content available to the judiciary via the library's websites. In all, CaseLaw services (including the official unreported judgments collection) recorded more than 5.1 million page views over the year.

The library provides a range of current awareness services to judges, including the *Judicial Daily Update* service, a daily news and current awareness newsletter tailored specifically for the Queensland judiciary. It also publishes and distributes the *Queensland Legal Updater* (QLU), a weekly email bulletin designed to update legal professionals on changes to legislation and developments in case law relevant to legal practice in Queensland. Together, the judicial current awareness services and QLU recorded over 121,000 views during the year.

Throughout the year the library's Information Services team continued to assist the judiciary and legal profession with navigating and effectively using the legal research tools within the library's print and online collections. The team responded to a total of almost 8500 information enquiries (nearly 7% higher than the previous year), comprising 4780 reference, 1769 research and 1947 basic requests. A total of over 20,000 documents were supplied in response to these queries (almost double the previous year's total). During 2018–19 the library maintained weekly afternoon clinics on level 13 of the QEII Courts of Law building to assist judges and their associates with their legal information needs. In that same year the library became the official member library of the Bar Association of Queensland and saw a significant increase in the level of service provision to the private bar after welcoming that new member group.

The library's legal heritage and education programs are designed to foster broad appreciation of Queensland's legal heritage and to promote an understanding of the Queensland justice system and its role in society. Highlights during 2018–19 included:

- Almost 7000 visitors (a 5% increase on 2017–18) participated in the popular education program, including over 2000 participants in judges' or magistrates' information sessions and over 5000 students witnessing the law in action by observing court proceedings.
- A new exhibition, *Overturning terra nullius: the story of native title*, opened to the public on 1 April 2019 in the Sir Harry Gibbs Legal Heritage Centre. That exhibition charts the important events and milestones in the history of recognising land rights in Australia and explores the process of law reform that made this possible, focusing on the period of the landmark court judgments of *Mabo v Queensland (No. 2)* [1992] HCA 23 and *Wik Peoples v Queensland* [1996] HCA 40 and the enactment of the Native Title Act 1993 (Cth) and its amendment in 1998.
- Another exhibition, *Next Witness*, was installed in the library space on level 12 of the QEII courts building and opened on 2 May 2019. Based on artist Julie Fragar's experience as an observer from the public gallery of a criminal trial, the exhibition comprises five large and three smaller works that cut across time, space and perspectives, to consider—all at once—a crime's circumstances, the courtroom as a very specific social space, and the inextricable role of the public as witness.
- The 2019 Supreme Court Oration was presented by Her Excellency Margaret Beazley AO QC Governor of New South Wales, and two lectures in the Selden Society series were presented by Queensland judges, The Hon Justice Patrick Keane AC of the High Court and The Hon John Dowsett AM, President of the National Native Title Tribunal.
- The *Queensland Legal Yearbook 2017* reviewed the year's legal events and statistics, and contained speeches by members of the judiciary in 2017.

Looking ahead to 2019–20, there will be a continued focus by the library on providing a high level of support to Queensland's busy judges. We will continue to support adoption by judges of the 'go anywhere' electronic versions of popular legal loose-leaf publications designed to be downloaded to tablets and other mobile devices, as well as providing training and support in identifying, locating and making more effective and efficient use of the range of print, electronic and online resources available to the judiciary via the JVL. The former will be greatly assisted by provision of new iPad tablet devices to all judges during the latter part of 2019. We look forward to increased use of the Virtual Legal Library service by eligible Queensland legal practitioners, and to redeveloped SCLQ CaseLaw services and websites. Together these initiatives will contribute to improved legal information services for the Queensland judiciary, legal profession and public.

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 of Queensland

Table 5: District Court practice directions

| Number | Description | Date issued |
|-----------------------|--|------------------|
| Amended No.10 of 2014 | Electronic Devices in Courtrooms | 8 August 2018 |
| No. 5 of 2018 | Designation of Court Holidays Registry – 24 December 2018 to 4 January 2019 | 9 August 2018 |
| No. 6 of 2018 | Persons under a Legal Disability | 17 August 2018 |
| No. 7 of 2018 | Notice of Change of Name – Cronin Miller Litigation | 5 November 2018 |
| No. 8 of 2018 | Repeal of Practice Direction No 13 of 2014 – Serious Drug Offence Certificates | 19 December 2018 |
| No. 1 of 2019 | Change of Name and Address for Service – Saunders Downing Legal | 31 January 2019 |
| No 2 of 2019 | Court Closure Townsville Registry | 4 February 2019 |
| No.3 of 2019 | Re-opening of Townsville Registry | 7 February 2019 |

Planning and Environment Court

Table 6: Planning and Environment Court practice directions

| Number | Description | Date issued |
|--------------|---|-------------|
| No.1 of 2019 | Case management procedures | 9 May 2019 |
| No.2 of 2019 | Power of ADR Registrar to make orders or issue directions | 9 May 2019 |

Appendix 2: District Court associates as at 30 June 2019

| | |
|------------------------|---|
| George LeMass | Associate to His Honour Chief Judge KJ O'Brien |
| Kate Pigeon | Associate to His Honour Judge PE Smith |
| Courtney Goodlet | Associate to His Honour Judge DJ McGill SC |
| Joy Qin | Associate to Her Honour Judge D Richards |
| Samuel Harvey | Associate to His Honour Judge MJ Shanahan AM |
| Daniela Giorgiout | Associate to Her Honour Judge JM Dick SC |
| Natasha Von Bibra | Associate to His Honour Judge ME Rackemann |
| Madeleine Stitt | Associate to Her Honour Judge JA Ryrie |
| Alice Chester | Associate to His Honour Judge IFM Dearden |
| Sophie Halverson | Associate to His Honour Judge AJ Rafter SC |
| Brigid Pitkeathly | Associate to His Honour Judge GJ Koppenol |
| Benjamin Campbell | Associate to His Honour Judge DC Andrews SC |
| Erin Smith | Associate to Her Honour Judge LJ Clare SC |
| Lewis Radford | Associate to His Honour Judge WG Everson |
| Rose Leonforte | Associate to His Honour Judge BG Devereaux SC |
| Emily Perrin | Associate to Her Honour Judge KM McGinness (Southport) |
| George Rafter | Associate to His Honour Judge RS Jones |
| Ankita Bellary | Associate to His Honour Judge DA Reid |
| Brittany Engerman | Associate to His Honour Judge GP Long SC (Maroochydore) |
| Grace Burgess-Limerick | Associate to His Honour Judge BW Farr SC |
| Daniel Boddice | Associate to His Honour Judge AA Horneman-Wren SC (Ipswich) |
| Chloe Pocock | Associate to His Honour Judge DP Morzone QC (Cairns) |
| Tegan Baker | Associate to His Honour Judge MJ Burnett AM (Rockhampton) |
| Hamish Swanson | Associate to Her Honour Judge SC Sheridan |
| Isabella Anderson | Associate to His Honour Judge A Moynihan QC |
| Beth McKenna | Associate to His Honour Judge DR Kent QC (Southport) |
| Emily Fackender | Associate to His Honour Judge MC Chowdhury (Beenleigh) |
| Genevieve Hallam | Associate to Her Honour Judge CM Muir (Southport) |
| Madeline Rodgers | Associate to Her Honour Judge NJ Kefford |
| Hayley Anderson | Associate to His Honour Judge DR Lynch QC (Ipswich) |
| Angela Pringle | Associate to His Honour Judge GP Lynham (Townsville) |
| Thomas Kent | Associate to His Honour Judge BT Porter QC |
| Millicent Aylward | Associate to Her Honour Judge JM Rosengren |
| Sangeetha Badya | Associate to Her Honour Judge T Fantin (Cairns) |
| Jane Bowness | Associate to His Honour Judge M Williamson QC |
| Amelia Doolan | Associate to His Honour Judge J McG Coker (Townsville) |
| Dylan Kerr | Associate to His Honour Judge N Jarro |
| Disa Johansen | Associate to His Honour Judge G Cash QC (Maroochydore) |
| Anna Demnar | Associate to His Honour Judge J Allen QC (QCAT) |
| Clara Boddice | Associate to Her Honour Judge V Lorry QC |