

DISTRICT COURT OF QUEENSLAND
ANNUAL REPORT 2023/2024

31 October 2024

The Honourable Jarrod Bleijie
Attorney-General and Minister for Justice and
Minister for the Prevention of Domestic and Family Violence
1 William Street
BRISBANE QLD P 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 2024.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Brian Devereaux', with a long horizontal flourish extending to the right.

Brian Devereaux SC
Chief Judge

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Chief Judge's overview

This, the Court's 28th annual report, deals with the operation of the Court in 2023/2024. Pursuant to s 70 of the *Planning and Environment Court Act 2016*, this report incorporates the annual report of the Planning and Environment Court (the P&E Court).

The Court's performance and workload during the 2023/2024 year are reflected in the statistics set out in this report. The statistical information accords with the method of reporting adopted by the Commonwealth Productivity Commission's Annual Report on Government Services. This method of reporting does not count all of the Court's work. Two significant bodies of the District Court Judges' work, the Childrens Court of Queensland (CCQ) and the P&E Court, are examples.

The number of new criminal lodgments eased during the year under review, in Brisbane (5.9%), and in the rest of the State taken as a whole (0.4%). The result for the whole of Queensland was 2.2% less than 2022/2023 but still 9.39% higher than 2021/2022. There was an increase in the number of trials conducted and an increase in the period of juror engagement for those trials from 3.6 days to 3.7 days.

The Court received 4,096 civil lodgments, an increase of 5.9% on the previous year. The P&E Court received 328 lodgments, about 0.6% less than the previous year. The CCQ lodgments decreased by 12% on the previous year. The District Court of Queensland remains one of the largest and busiest of the higher courts in Australia.

Apart from hearing and deciding cases, the judges of the Court regularly participate in committees whose work enhances judicial processes (for example, the Benchbook Committee, the Rules Committee) and benefit the legal profession and the community at large. Some of these are detailed below.

As noted in last year's report, extra funding from the Executive led, during the year under review, to the appointment of three additional judges. On 11 September 2023:¹

- Judge Heaton KC was appointed to the Court at Brisbane;
- Judge Treviño KC was appointed to the Court at Cairns; and
- Judge Power KC was appointed to the Court at Ipswich.

Judge Prskalo KC was appointed 2 April 2024. Her Honour joins the Court at Southport.²

By these appointments, the Court has increased the number of judges resident at Cairns, Ipswich and Southport.

In other appointments, the Judge Administrator, Judge Smith was appointed a Member of the Order of Australia in the Military Division (AM) on 10 June 2024. His Honour also acted in the position of Chief Judge during my absence from the jurisdiction.

Judge Barlow KC and Judge Andreatidis KC were appointed P&E Court Judges on 24 August 2023.

As foreshadowed in last year's report, Judge Michael Rackemann retirement from the court in February 2024, marking the end of a long and exceptionally devoted career on the Court.

1 <https://archive.sclqld.org.au/judgepub/2023/devereaux20230921.pdf>

2 <https://archive.sclqld.org.au/judgepub/2023/devereaux20230921.pdf>

His Honour's legendary contribution to the success of the P&E Court was recognised at a valedictory ceremony on 9 February 2024. Of course, Judge Rackemann also sat in all jurisdictions of the Court and conducted circuits widely around the State.

As well as Judge Rackemann, the Court lost another exceptionally valuable person in the year under review. Jan Daniels, executive assistant to the Chief Judge of the District Court since 1995, retired on 28 March 2024. The part of her career relevant to the courts began in 1989, in the District Court secretariat. Ms Daniels was soon installed as a secretary in the Supreme Court but in June 1995 became executive assistant to Chief Judge Shanahan. Here she remained, with Chief Judge Wolfe, Chief Judge O'Brien and then with me. I record, on behalf of the present and retired judges, our thanks to Ms Daniels for all of her work for the Court. I am particularly grateful that she stayed on so long after my appointment. The present and retired judges wish her an active and joyful retirement.

The wellbeing of judicial officers is an increasingly concerning matter. A recent study has confirmed that while judges gain great satisfaction from many aspects of the role, the same tasks can induce significant stress. And this is exacerbated by other matters outside a judge's control. These include the increasing atomisation of litigation, particularly criminal litigation; the introduction of new criminal offences and procedural legislation; and uninformed comment and criticism of decisions. The appointment of three additional judges was a welcome acknowledgement of the need for greater resources. The Court is still some way from being appropriately stocked. During the year under review some progress was made in formulating a judicial well-being program. The judges continue to support each other in collegiate spirit and look for efficiencies in the conduct of the Court's workload.

I reported last year on the establishment of a Project Team to assist in the design and implementation of the Court's response to recommendations 69, 71, and 72 of the second report of the Women's Safety and Justice Taskforce into the experiences of women and girls across the criminal justice system. These recommendations called for consideration to be given to:

- *Recommendation 69: a specialist list for sexual violence cases;*
- *Recommendation 71: developing and implementing a plan to improve court case management of sexual violence cases; and*
- *Recommendation 72: designing and implementing a pilot of a voluntary case conferencing model in sexual violence cases.*

The work of the Project Team is outlined in more detail at p 30 by the Principal Registrar and Assistant Director-General, Julie Steel PSM. The project team has made an enormous contribution to the Court's ability to respond to the recommendations. The professional, thorough approach of the team included consultations with interested groups across the State, obtaining a review of relevant literature on the issues, a cross-jurisdictional analysis of informative developments in other courts and the convening of a working group of senior representatives of the profession and affected parties. The results of this work include a considered approach to the conduct of sexual violence cases generally and a three-year Sexual Violence Case Management Pilot in the District Courts in Brisbane and Ipswich from 2 September 2024. The Pilot is designed to support early identification and resolution of issues, minimise avoidable delays and provide greater certainty for all court users and improve the experience of witnesses, thereby reducing the chance of re-traumatisation.

As with the Intermediaries Scheme Pilot (see Ms Steel's report) I expect the systemic improvements gained from sexual violence case management will seep into general practice. I extend my thanks to the Judges of the Court and the members of the working

group who patiently reviewed and constructively commented on many iterations of the documents.

In another significant development during the year under review, I issued a suite of Practice Directions in the Planning and Environment Court. These are discussed below, in that Court's report. I thank the judges of the P&E Court, Judge Michael Williamson KC in particular, and the members of the profession whose suggestions upon drafts led to improvements in the Practice Directions.

It is necessary to repeat concerns raised in past annual reports about the inadequacy of courthouses in several parts of Queensland. There are, of course, many calls on the limited resources of government and it is for the executive to prioritise spending. As I have written, judges will sit where the facilities allow. A modern system of justice should nonetheless provide for places of justice that are welcoming, safe and sufficiently equipped to facilitate the hearing and determination of disputes, including prosecutions by the State, reasonably close to the persons involved in and interested in the matters to be determined.

I record my thanks to the Judge Administrator, Judge Smith, for his tireless and efficient assistance in the operation of the Court. I acknowledge all the Judges for their application to the service of the community, however busy the lists and challenging the cases.

The Court gained much from my regular meetings with the Director-General and Deputy Director-General: Jasmina Joldic PSM and Brigita Cunningham. The Court enjoys a positive and respectful relationship with the Attorney-General and the senior officers of the Department.

The judges appreciate the commitment of the registry staff. The Principal Registrar, Ms Steel, provides details of the registry services and workloads later in this report.

The work of the District Court - Disposition of Caseload

The Chief Judge, with the assistance of the Judge Administrator, is responsible for the administration of the Court and for ensuring the orderly and expeditious exercise of the jurisdiction and powers of the Court.

The Court has wide civil, criminal and appellate jurisdiction, as provided in the *District Court of Queensland Act 1967* and other legislation.

The District Court hears and determines most charges of serious criminal offences - the Supreme Court deals with homicide cases, attempted murder and trafficking in Schedule 1 drugs. Criminal trials are usually heard with a jury.

The Court exercises equitable and other jurisdiction within its civil monetary limit. Civil matters are normally heard by a single judge.

Many judges also sit as P&E Court judges and CCQ judges.

The Court hears appeals from orders of the Magistrates Court in criminal and civil proceedings, including under the *Justices Act 1886*, *Domestic and Family Violence Protection Act 2012*, the *Child Protection Act 1999* and a range of “regulatory prosecutions”, for example, under the *Building Act 1975*.

The judges have adopted a protocol that judgments are usually to be delivered within three months of the conclusion of the hearing. The Chief Judge monitors the judges’ reserved judgements load. Finding time to write reserved judgments is an individual and whole-of-court challenge.

Criminal jurisdiction

Because of the breadth of its criminal jurisdiction, most defendants charged on indictment appear before the District Court.

The Court deals with offences under Commonwealth and Queensland criminal laws and offences under the *Corporations Law*, the *Commonwealth Migration Act 1958* and federal and state revenue laws.

The Chief Judge and the Judge Administrator, with assistance from other judges, manage the criminal list in Brisbane. In the regions, the lists are managed by the resident judges. Certain judges are allocated responsibility for managing the larger circuit centres, for example, Gympie, Kingaroy, Maryborough, Hervey Bay, Mackay, Toowoomba, Mount Isa and Bundaberg.

The large criminal workload is subjected to careful case management. Although list management is more difficult at circuit centres, judges hold callovers and reviews by telephone before the circuit starts. The Court co-operates with the office of the Director of Public Prosecutions and Legal Aid Queensland for the purpose of improving the efficiency of circuit sittings.

Depending upon the lists, each year the judges might sit at up to 32 centres throughout Queensland — that is in Brisbane, the seven regional centres, 24 other centres where jury trials can be held, and other more remote communities, including those in the Gulf, Cape and Torres Strait.

Table 1 summarises the Court's criminal case load for the year under review.

Over the reporting year, there were 6,659 lodgments, compared to 6,811 for the 2022/2023 year. At year's end there were 3,053 (3,084 in 2022/2023) outstanding matters with 6,684 (6,584 in 2022/2023) matters having been finalised. This represents a clearance rate of 100.4% compared to 96.7% in 2022/2023.

Of the active cases, 23.7% were more than 12 months old (from date of indictment presentation) and 6.8% were more than 24 months old. This represented a small increase in the percentage of cases more than 12 months and an increase in the percentage older than 24 months. The Court regularly examines the set of cases older than 24 months. Although representing a small percentage of the total, we recognise the need to reduce it further. Of course, a case might remain active for a long time for several reasons. It might be a re-trial after a successful appeal. Increasingly, long delays are caused while parties wait for the results of DNA testing of potential exhibits. In some cases, a defendant has been arrested after having absconded. Others, because of the complexity of the indictment or because of legislative provisions, require numerous pre-trial hearings. In some matters the parties are awaiting a determination in the Mental Health Court. Also, some cases are delayed while parties await a restorative justice process.

In Brisbane, 2,095 new cases were presented during the year, compared to 2,227 in 2022/2023. The year ended with 1,071 outstanding criminal cases, having disposed of 2,140 matters. The clearance rate in Brisbane was 102.1%, an increase from 94.2% last year. The percentage of cases outstanding after 12 and 24 months increased slightly – changed from 17.7 to 25.3% for cases more than 12 months old and 7.0% from 5.6% for cases more than 24 months old.

In the major regional centres where judges are based – Beenleigh, Cairns, Ipswich, Maroochydore, Rockhampton, Southport and Townsville – a total of 3,478 new cases were presented during the year, compared to 3,518 last year - and those major centres ended the year having disposed of 3,286 cases (3,222 last year) with 1,444 outstanding. This, too, represents an improved clearance rate.

Table 1: The activity of the District Court criminal list 2023/2024

Centre	Number of Defendants ¹			Clearance Rates ⁴	Backlog Indicator ⁵	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	2,095	2,140	1,071	102.1%	25.3%	7.0%
Regional centres						
Beenleigh	546	465	289	85.2%	29.7%	11.7%
Cairns	602	590	234	98.0%	16.5%	6.8%
Ipswich	466	482	297	103.4%	31.3%	7.7%
Maroochydore	393	373	166	94.9%	19.3%	3.0%
Rockhampton	274	290	47	105.8%	14.9%	0.0%
Southport	593	623	247	105.1%	16.9%	6.0%
Townsville	604	463	164	76.7%	19.5%	4.9%
Total for Brisbane and regional centres	5,573	5,426	2,515	97.4%	23.9%	7.0%
Circuit centres						
Bowen	2	7	2	350.0%	50%	0.0%
Bundaberg	130	131	47	100.8%	19.1%	6.4%
Charleville	14	24	4	171.4%	25.0%	0.0%
Charters Towers	-	2	2	0.0%	0.0%	0.0%
Clermont	-	-	-	0.0%	0.0%	0.0%
Cloncurry	-	-	-	0.0%	0.0%	0.0%
Cunnamulla	-	-	-	0.0%	0.0%	0.0%
Dalby	44	67	35	152.3%	25.7%	5.7%
Emerald	34	32	19	94.1%	0.0%	0.0%
Gladstone	83	79	25	95.2%	12.0%	4.0%
Goondiwindi	8	10	11	125.0%	27.3%	0.0%
Gympie	66	93	26	140.9%	26.9%	7.7%
Hervey Bay	59	59	17	100.0%	23.5%	0.0%
Hughenden	-	-	-	0.0%	0.0%	0.0%
Innisfail	7	25	15	357.1%	26.7%	13.3%
Kingaroy	56	75	38	133.9%	44.7%	23.7%
Longreach	2	2	-	100.0%	0.0%	0.0%
Mackay	133	171	72	128.6%	18.1%	1.4%
Maryborough	61	52	24	85.2%	8.3%	0.0%
Mt Isa	64	148	55	231.3%	27.3%	1.8%
Roma	22	29	11	131.8%	0.0%	0.0%
Stanthorpe	-	-	-	0.0%	0.0%	0.0%
Toowoomba	271	207	112	76.4%	21.4%	6.3%
Warwick	30	45	23	150.0%	47.8%	21.7%
Total for circuit centres	1,086	1,258	538	115.8%	22.9%	6.1%
State total	6,659	6,684	3,053	100.4%	23.7%	6.8%

- (1) A “defendant” is counted based on the national Report on Government Services counting methodology, i.e. each defendant is counted once per case. If the same person is named on more than one case within the reported period, they will be counted once for each case on which they are named. 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) A “case” consists of one or more charges lodged together by a prosecuting authority.

- (3) 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.
- (4) The above figures are not comparable to years prior to 2018-19 due to the change in counting rule as outlined in (2) applied in 2018-19. In previous years a defendant who had two cases lodged on the same day was counted once whereas it is now counted twice.
- (5) Clearance Rate: finalisations/lodgments
- (6) Backlog Indicator: the number active defendants with proceedings older than the specified time.

The statistics set out in the Table do not account for court time taken up with pre-trial applications and the pre-recording of evidence and other directions hearings. These proceedings do not inform the data collated by the Commonwealth Productivity Commission's Annual Report on Government Services (RoGS). A pre-trial hearing might be short and uncomplicated – e.g. an unopposed application for a witness to give evidence by video link. Or it might be difficult and time-consuming, both in court and in judgment-writing – e.g. an application to sever an indictment charging numerous counts of offences alleged to have been committed against several complainants, or an application for the permanent stay of a prosecution on the ground that it is an abuse of process.

As mentioned in previous reports, the legal and factual issues to be addressed in applications brought under the protected counselling communications (*PCC*) provisions of the *Evidence Act 1977* continue to fracture and elongate proceedings and occupy increasing judicial time. The Court appreciates the assistance provided by legal representatives of the counselled person, for whom a grant of legal aid is provided if required. Without this funded assistance, the applications would likely take even more court time and produce increased delays. During the year under review, I issued a revised Practice Direction concerning PCC applications in an attempt by the Judges to improve the process. The legislation requires amendment.

Many children are required to give evidence in matters involving charges of sexual or violent offences. During 2023/2024 the judges ordered 283 pre-recordings involving 482 witnesses for the District Court or the CCQ and conducted 319 Pre-recordings. The child's evidence will usually be pre-recorded from a remote witness room, with a support person sitting nearby. The witness sees only the person speaking to them. That is, although the defendant sits in court and can see the witness on a screen, the witness cannot see the defendant. The Court will be closed to the public. The pre-recording usually occurs soon after the indictment is presented, and care is taken to ensure that all pre-trial hearings – for example, challenges to parts of the evidence - are completed before the evidence of the child is recorded. The recorded evidence is later played to the jury at the trial. To preserve their integrity and security, all video recordings, no matter where recorded in Queensland, are kept by the Principal Registrar in Brisbane.

Similar measures are often ordered for the taking of evidence of persons declared to be a special witness. The term, 'special witness', includes a person against whom a sexual offence is alleged to have been committed and a person against whom domestic violence has been or is alleged to have been committed. In the year under review there were 155 pre-recordings for special witnesses in the Brisbane District Court, the regional centres and the CCQ.

The Queensland Intermediary Scheme Pilot Program, introduced by the insertion of Division 4C in Part 2 of the *Evidence Act 1977*, continues but only in the pilot locations, Brisbane and Cairns. It is funded only until June 2025. Although the scheme creates another interlocutory step between presentation of indictment and trial in relevant cases, it tends to improve the efficiency of the examination and cross-examination of the witness and the

experience of the witness. The process is designed assist the witness in the understanding of questions and in the communication of answers. An intermediary's report into the communication needs of a witness usefully informs directions the judge may give about the questioning of the witness and the provision of measures designed to assist the witness give their best evidence. The directions do not impair the ability of defence Counsel to challenge the witness and present the defence case. It is to be hoped that funding for the scheme continues sufficiently to allow its expansion into other areas of the State.

Civil jurisdiction

The Court received civil 4,096 lodgements, compared to 3,867 in 2022/2023, an increase of 5.9%. 3,838 matters were finalised, compared to 3,565 the previous year. This represents a clearance rate of 93.7%. There were, at the end of the reporting year, 4,311 active matters, of which 24.6% were more than 12 months old and 5.7% were more than 24 months old.

Table 2: Clearance rate in civil cases

Centre	RoGS Non Appeal Cases			Clearance	Backlog Indicator	
				Rate *	From filing date	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	3,260	2,985	3,408	91.6%	24.5%	6.2%
Beenleigh	12	12	14	100%	28.6%	7.1%
Cairns	99	116	100	117.2%	28.0%	6.0%
Ipswich	21	28	27	133.3%	37.0%	3.7%
Maroochydore	119	105	135	88.2%	26.7%	3.0%
Rockhampton	39	37	44	94.9%	27.3%	4.5%
Southport	315	301	361	95.6%	23.3%	4.2%
Townsville	132	156	111	118.2%	22.5%	-
State Total	4,096	3,838	4,311	93.7%	24.6%	5.7%

*Clearance rate - finalisations/lodgments

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

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.

The impact of civil proceedings on the Court's resources depends primarily on whether matters come before a judge. Most resolve without any judicial intervention.

The District Court's civil jurisdiction is mostly conferred by section 68 of the *District Court of Queensland Act 1967*. Section 69 confers on the Court, for the purposes of exercising that jurisdiction, all the powers of the Supreme Court. The Court has an extensive general jurisdiction enabling it to deal with, among other matters (subject to the monetary limit of \$750,000):

- all personal claims, including equitable claims, to recover money sums
- any claim (without monetary limit) referred to the Court by the Supreme Court for assessment
- by the consent of the parties, any claim which could be brought in the Supreme Court (apart from claims under the *Corporations Act* that must, under that Act, be heard in the Supreme Court regardless of the amount involved)

- actions for possession under any mortgage or other security
- actions to grant relief from mistake and for rectification
- actions seeking declarations and consequential orders arising from partnership disputes
- family provision applications pursuant to the *Succession Act 1981*
- construction of wills, deeds and other documents.

The Court's monetary limit, set in 2010 following a recommendation in the Report of the *Review of the civil and criminal justice system in Queensland 2008*, has not been reviewed. The report recommended the monetary limits of the District and Magistrates Courts be reviewed "at least every 5 years, and adjusted to reflect the then current value of money and other relevant considerations." A review of the monetary limit to allow for consumer and property inflation since 2008 is unlikely materially to impact on the Court's capacity to manage its civil jurisdiction. Consideration of the Court's jurisdictional limit is due.

Trials of claims and originating applications

A person may commence a civil proceeding in the Court by filing a claim or originating application. Most civil matters in the Court's original jurisdiction are resolved other than by trial, frequently by settlement or by parties not taking steps in the proceeding such that it is deemed resolved.

Most of the civil proceedings in the Court are filed in the Brisbane registry. Matters are listed administratively, in consultation with the parties, forthwith on a request-for-trial being filed. This process reduces the delay between a proceeding being ready for trial and the allocation of trial dates. Continuous listing also makes it possible more easily to list another trial, or an appeal, when a judge becomes available on the late settlement or late adjournment of a trial.

The Brisbane registry has introduced a pre-trial mention for any trial listed for hearing, which occurs about two weeks before trial. The purpose is to try to ensure that the trial will be fully ready for efficient hearing and determination on the day the trial is listed to commence. This step appears to have reduced the number of last-minute adjournments, with the associated waste of time and resources such adjournments cause.

These steps have improved the efficient use of Judge time and increased the rate at which civil proceedings are listed and resolved. The Brisbane registry rarely has any proceeding ready for trial which is waiting to be allocated a trial date, and trial dates can usually be allocated within 3 months of the matter being certified ready for trial.

The Court does not case-manage all civil cases. That would be inefficient. However, identified cases are managed when it becomes clear to the Court, either of its own motion or because of an application by the parties, that management is required. Civil cases on the Commercial List are managed.

Regional courts handle their civil load in a manner which is efficient in the view of the judges based in those regions. Occasionally, a matter which requires urgent attention may be transferred to the Brisbane registry if the interests of justice favour that course.

A significant number of civil proceedings involve self-represented parties. Generally, these require a great deal more judicial time in preparation and conduct of a trial. The pre-trial

mentions referred to above provide an opportunity for the Court to try to ensure an unrepresented party is as ready as can be.

District Court Commercial List

A Commercial List was established in October 2010. The purpose of the Commercial List is to promote the prompt resolution of commercial disputes by judges with experience in commercial litigation. During the year the Commercial List judges were, Judge Kefford, Judge Porter KC, Judge Barlow KC, Judge Jackson KC and Judge Andreatidis KC. Their Honours are all based in Brisbane except for Judge Jackson who is based in Southport.

Matters are placed on the list by application of the parties or, occasionally, by a judge. The Commercial List has seen steady numbers over recent years. In the year under report, 54 cases were placed on the list and 59 finalised.

In December 2020, the Court issued a Practice Direction which provided for parties to place matters commenced in Townsville and Toowoomba on the Commercial List with interlocutory management by video link but for trials to be conducted in the regional Court.

The management of matters by the Commercial List judges, including hearing of interlocutory applications, is mostly conducted outside their Honours' normal sitting calendars and frequently continues while their Honours are on circuit by use of video link technology.

Interlocutory applications

An interlocutory application is one made, after a proceeding has been filed, to resolve an issue which arises prior to trial. These can usually be disposed of in less than two hours and nearly always within half a day. Almost all judges sit in the Applications list during a calendar year. Judges may hear applications while on circuit at any of the circuit centres.

The Court's appellate jurisdiction

The Court's appellate jurisdiction comprises its criminal appeal jurisdiction and civil appeal jurisdiction. The Court's criminal appeal jurisdiction comprises appeals under the *Justices Act 1886*. The civil appeals comprise mostly appeals from civil judgments of the Magistrates Court and appeals from magistrates' decisions under the *Child Protection Act 1999* and the *Domestic and Family Violence Protection Act 2012*, in which the District Court is the final court of appeal.

In 2023/2024, 68 civil appeals and 265 criminal appeals were lodged in the Court. There were 91 civil and 270 criminal appeals finalised, representing clearance rates 133.8% and 101.9% respectively. All judges hear and determine the whole range of appeals that come to the Court.

Table 3: Clearance rate in criminal and civil appeals

	RoGS Appeal			Clearance Rate *	Backlog Indicator	
					From filing date	
Civil	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	33	47	16	142.4%	25.0%	12.5%
Beenleigh	4	3	5	75.0%	60.0%	-
Cairns	3	3	4	100.0%	25.0%	-
Ipswich	-	2	-	-	-	-
Maroochydore	5	7	3	140.0%	-	-
Rockhampton	1	1	-	100.0%	-	-
Southport	8	11	4	137.5%	25.0%	-
Townsville	2	4	2	200.0%	50.0%	-
State Total	68	91	41	133.8%	26.8%	4.9%

	RoGS Appeal			Clearance Rate *	Backlog Indicator	
					From filing date	
Criminal	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	164	160	60	97.6%	1.70%	-
Beenleigh	2	6	4	300.0%	25.0%	-
Cairns	14	14	5	100.0%	-	-
Ipswich	13	14	9	107.7%	11.1%	-
Maroochydore	14	14	9	100.0%	-	-
Rockhampton	2	1	-	50.0%	-	-
Southport	24	28	16	116.7%	18.8%	-
Townsville	10	15	3	150.0%	-	-
State Total	265	270	124	101.9%	7.3%	-

*Clearance rate - finalisations/lodgments

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

Appeals against sentence only are heard in the criminal list of the Court. In Brisbane, appeals against conviction and all civil appeals are heard in the civil list of the Court.

In Brisbane, the continued management of appeals by Judge Moynihan KC, with the co-operation of Judge Porter KC, who manages the civil list, facilitates the prompt resolution of appeals. Where the appeal challenges a sentence that includes a very short period of imprisonment, the appellant may apply for an urgent hearing of the appeal. For the civil list

appeals, the Court has adopted the practice of listing appeals as reserve matters against the prospect of civil trials settling or adjourning. It is rare for an appeal which is ready for hearing not to be allocated a hearing date within two months from the date of listing.

The Planning and Environment Court

The Planning and Environment Court is constituted by a District Court judge appointed to it (a P&E Court judge). There is a concentration of P&E Court judges in Brisbane and, with the exceptions of Beenleigh and Rockhampton, P&E Court judges are based in each regional centre. The Court may sit anywhere.

The P&E 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*, then continued pursuant to the *Integrated Planning Act 1997* and now, pursuant to the *Planning and Environment Court Act 2016*. The Court's rules and Practice Directions are made under the Act.

The P&E Court exercises jurisdiction over a wide variety of planning and/or environmental disputes. These may be complex and have significant environmental, social and economic consequences. The Court has unlimited monetary jurisdiction. It may make declarations; interim and final enforcement orders; conduct full merits reviews of decisions of local governments and government entities; hear claims for compensation and punish for contempt.

Practice and procedure in the P&E Court is characterised by active list supervision, individual case management and the comprehensive deployment of Alternative Dispute Resolution (ADR) mechanisms.

The P&E Court has maintained the high international recognition which it has received for its achievements - the efficiency of its 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 review and reform.

In that spirit, the Brisbane judges of the P&E Court adopted new Practice Directions which were issued on 7 December 2023. Practice Directions are procedural guidelines that complement existing legislation, rules and regulations. These Practice Directions are designed to provide consistent but flexible case management, primarily for the Court sitting at Brisbane. They spring from, among other places, section 10 of *Planning and Environment Court Act 2016*. It provides that in conducting P&E Court proceedings and applying the Rules the P&E Court must facilitate the just and expeditious resolution of the issue; and avoid undue delay, expense and technicality. Section 10 also provides that parties to a P&E Court proceeding impliedly undertake to the court and each other to proceed in an expeditious way.

The new Practice Directions were also prompted by feedback from the profession. The Court enjoys a close relationship with solicitors and barristers who practise in the P&E jurisdiction. In significant part, this is generated by the active promotion of seminars and social events by the Queensland Environmental Law Association (QELA), with which the Court continues to enjoy a close and mutually beneficial association.

The new Practice Directions represent evolutionary change, taking their lead from foundational principles contained in earlier Practice Directions:

- That the parties should be encouraged to prepare a proceeding for trial as quickly as they are able with limited court intervention – this minimises delay and cost;
- To encourage ADR – to assist the parties with early resolution at a minimum of cost: and
- Provide a framework of general guidance to practitioners about procedure while maintaining flexibility to tailor directions and orders on a case by case basis.

Much time, care and consultation went into the development of the Practice Directions. I acknowledge the work of the Brisbane P&E judges and the professional associations and thank them for it.

In the early months of 2024, Judge Williamson KC engaged with the legal profession at several QELA seminars. These provided forums for discussion and clarification of the Court's expectations under the Practice Directions. The goal is balancing court supervision with allowing competent parties to conduct the case with autonomy.

Table 4: Clearance rate in planning and environment cases

Planning and Environment Court 2023/2024						
				Clearance Rate *	Backlog Indicator	
					From filing date	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	261	281	237	107.7%	38.4%	20.7%
Beenleigh	-	-	-	-	-	-
Cairns	7	3	9	42.9%	33.3%	22.2%
Ipswich	-	-	-	-	-	-
Maroochydore	35	23	32	65.7%	25.0%	6.3%
Rockhampton	-	-	-	-	-	-
Southport	12	17	7	141.7%	14.3%	-
Townsville	12	13	23	108.3%	69.6%	52.2%
State Total	328	337	308	102.7%	38.6%	21.1%

*Clearance rate - finalisations/lodgments

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

As the table shows, during the year under review 328 new matters were lodged in the P&E Court. This was 0.6% less than the previous year. At year's end there were 308 outstanding matters with 337 having been completed. This represents a clearance rate of 102.7%. Of the outstanding matters, 38.6% were more than 12 months old from the date of filing and 21.1% more than 24 months old.

P&E Court files are open to inspection for any litigant, lawyer or member of the public through eFiles, an online service which makes court documents available to everyone. Whether originating in Brisbane or a regional centre, all active files are accessible through the Queensland Courts website eCourts facility: <http://www.courts.qld.gov.au/information-for-lawyers/search-civil-files-ecourts>.

The P&E applications list in Brisbane, referred to in previous reports, is a continuing success. Shorter applications are dealt with separately in a dedicated list, allowing more time for parties' submissions and judicial consideration, while allowing judges more time to

prepare and consider longer cases. This continues to be an efficient use of judicial resources, well-received by the legal profession.

A senior figure in the Queensland Planning and Environment jurisdiction, Judge Michael Rackemann, retired in early 2024 after serving on the District Court for almost 20 years. His Honour's contribution to the recent history of the P&E Court was acknowledged at a valedictory ceremony held on 9 February 2024.³ That contribution was not just to jurisprudence in P&E matters, but to the Court's local and international standing. Judge Rackemann sat first at Southport and was transferred to Brisbane in 2006. He came to be responsible for managing the P&E Court list in Brisbane and is acknowledged for modernising its practices and procedures. This was particularly so in the deployment of expert witnesses and the timing of their engagement into the Court's process. He was, and in retirement probably still is, a passionate advocate for the Court and the practice of planning and environmental law.

Childrens Court of Queensland

The Childrens Court of Queensland (CCQ) is a specialist jurisdiction established under the *Childrens Court Act 1992*. Judge Richards is the President.

Many judges of the Court are appointed to sit as CCQ judges.

Judges sitting in the CCQ determine:

- charges of serious criminal offences brought against children, with a jury but regularly as judge alone;
- bail applications and sentence reviews, providing speedy access for child defendants being held on remand;
- appeals pursuant to section 117 of the *Child Safety Act 1999*; and
- applications for parentage orders under the *Surrogacy Act 2010*.

A separate annual report of the Childrens Court of Queensland is prepared under the *Childrens Court Act 1992* and further details of the Court can be found in that report. For the purposes of this report, it is sufficient to note that criminal lodgments in the CCQ decreased by 12% on the previous year, but were the same as two years ago. The finalisation rate was 105.4%. The Court heard 46 Sentence Reviews and 160 bail applications. The Childrens Court of Queensland remains a busy part of the work of judges of the District Court.

³ <https://www.sclqld.org.au/collections/explore-the-law/judicial-profiles/rackemann-140251?page=1>

Regional Centres, Circuits and Remote Communities

Table 5 shows the number of weeks the Court sat at the seven regional centres where 16 of the judges are based.

Table 5: Judge sitting weeks at regional centres, including resident Judges and visiting Judges

Regional Centre	Sitting Weeks
Beenleigh	52
Cairns	100
Ipswich	97
Maroochydore	72
Rockhampton	40
Southport	127
Townsville	94

The judges based in in the regional centres control the lists in those centres and assist the Chief Judge in the preparation of the calendar, including nearby circuit centres. The 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 Court.

Judges based in Brisbane visit the regional centres according to need, including when the regional judges are in Brisbane or on leave.

Regional judges engage appropriately in community and legal professional activities. Some examples are included in the list of judges' contributions to professional development later in this report. The judges also consult local stakeholders in procedural matters with the aim of continuously improving the Court's processes.

Cairns

Judge Morzone KC, Judge Fantin and Judge Treviño 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 appointments to the CCQ and the P&E Court. The judges undertook circuits to Thursday Island, Innisfail, Mt Isa, and Cape York.

Rockhampton

The resident judge in Rockhampton, Judge Clarke, is also a CCQ judge. His Honour managed the Court's Rockhampton lists. Rockhampton is also served by the Supreme Court's Central Judge. Judge Clarke undertook circuits to Gladstone and Emerald. Gladstone and Emerald remain particularly busy. Other judges also sat at these centres.

Townsville

Judge Lynham and Judge Coker are the resident judges at Townsville, which is also served by the Supreme Court's Northern Judge. Judge Coker holds a commission in the P&E Court. Both judges are appointed to the CCQ. They also undertake circuits in the region -to Bowen, Charters Towers, Cairns, Mt Isa and Mackay. Some assistance was provided by judges on circuit from other centres.

Maroochydore

Most of the work of the Court at Maroochydore is undertaken by the resident judges, Judge Long SC and Judge Cash, with assistance from other judges who visit on circuit. In addition to the usual work within the jurisdiction of the District Court, Judge Long and Judge Cash sit in the CCQ and the P&E Court. Maroochydore conduct the Court's largest regional P&E Court caseload.

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. Both judges undertake some circuit work elsewhere in the State.

Southport

The resident Southport judges, Judge Jackson KC, Judge Holliday KC, Judge Wooldridge KC and Judge Prskalo KC, all hold commissions as CCQ judges. Judges Jackson and Holliday are P&E Court judges.

The Southport judges from time to time perform circuit work at centres elsewhere in the State. In particular, each sits regularly at Beenleigh, as do many judges from Brisbane.

Ipswich

Judge Horneman-Wren SC, Judge Lynch KC and Judge Power KC, dealt with the Ipswich caseload. They hold commissions in the CCQ and Judge Horneman-Wren is also a P&E Court Judge. The judges undertook circuits to other centres, namely Toowoomba, Dalby, Mt Isa, Gympie and Warwick.

Beenleigh

Judge Chowdhury is the resident judge in Beenleigh. His Honour also conducted circuits in other centres: Rockhampton, Gladstone and Mt Isa. Judge Chowdhury is also a CCQ judge.

Given the caseload at Beenleigh, considerable assistance was provided by judges on circuit from other centres. For various reasons, between 5 and 10% of the criminal cases commenced at Beenleigh are transferred to Brisbane. During the year under review this became increasingly necessary. The Court facilities at Beenleigh are inadequate. One result is an increase in the backlog of cases.

Circuit centres

Judges of the District Court travel on circuit to many centres (not counting those with a resident judge). At most places, the Court on circuit will conduct jury trials as well as any other proceeding within the Court's jurisdiction. At certain communities throughout the State, the Judges travel to conduct sentencing hearings and some civil matters.

Judges sit in the Court's appellate, criminal and civil jurisdictions, as well as in the P&E Court and the CCQ while on circuit.

During the year under review, apart from regional centres where there are resident judges, the Court sat on circuit at Bowen; Bundaberg; Charleville; Charters Towers; Dalby; Emerald; Gladstone; Goondiwindi; Gympie; Hervey Bay; Innisfail; Kingaroy; Longreach; Mackay; Maryborough; Mount Isa/Concurry; Roma; Stanthorpe; Toowoomba; Thursday Island and Warwick.

Through its circuit work, 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 judges visited where necessary the remote Aboriginal and Islander communities on circuit. In the year under review, judges sat in Thursday Island in the Torres Strait and Aurukun in Cape York.

Profile of the District Court

Judges of the District Court

During the year under report the judges were:

Chief Judge	His Honour Judge Brian Devereaux SC
Judge Administrator	His Honour Judge Paul Smith AM
Judges	Her Honour Judge Deborah Richards
	His Honour Judge Michael Rackemann (until February 2024)
	His Honour Judge Ian Dearden
	His Honour Judge Anthony Rafter SC
	Her Honour Judge Leanne Clare SC
	His Honour Judge William Everson
	Her Honour Judge Katherine McGinness
	His Honour Judge Gary Long SC
	His Honour Judge Bradley Farr SC
	His Honour Judge Alexander Horneman-Wren SC
	His Honour Judge Dean Morzone KC
	His Honour Judge Michael Burnett AM
	Her Honour Judge Suzanne Sheridan
	His Honour Judge Anthony Moynihan KC
	His Honour Judge David Kent KC
	His Honour Judge Milon Chowdhury
	Her Honour Judge Nicole Jane Kefford
	His Honour Judge Dennis Lynch KC
	His Honour Judge Gregory Lynham
	His Honour Judge Bernard Porter KC
	Her Honour Judge Jennifer Rosengren
	Her Honour Judge Tracy Fantin
	His Honour Judge Michael Williamson KC
	His Honour Judge John Coker
	His Honour Judge Nathan Jarro
	His Honour Judge Glen Cash
	His Honour Judge John Allen KC
	Her Honour Judge Vicki Louri KC
	His Honour Judge Ken Barlow KC
	His Honour Judge Terry Gardiner
	His Honour Judge Michael Byrne KC

His Honour Judge Rowan Jackson KC
His Honour Judge Jeffrey Clarke
Her Honour Judge Geraldine Dann
Her Honour Judge Deborah Holliday KC
Her Honour Judge Amanda McDonnell
Her Honour Judge Jodie Wooldridge KC
His Honour Judge Nicholas Andreatidis KC
His Honour Judge Carl Heaton KC (from 11 September 2023)
His Honour Judge Joshua Treviño KC (from 11 September 2023)
His Honour Judge Benedict Power KC (from 11 September 2023)
Her Honour Judge Katarina Prskalo KC (from 2 April 2024)

Regional Judges

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

Maroochydore	Judge Long SC Judge Cash
Southport	Judge Jackson KC Judge Holliday KC Judge Wooldridge KC Judge Prskalo KC
Townsville	Judge Lynham Judge Coker
Rockhampton	Judge Clarke
Ipswich	Judge Horneman-Wren SC Judge Lynch KC Judge Benedict Power KC
Cairns	Judge Morzone KC Judge Fantin Judge Joshua Treviño KC
Beenleigh	Judge Chowdhury

Planning and Environment Court

Judges holding appointment to the P&E Court during 2023/2024 are listed below:

Chief Judge Devereaux SC	Judge Cash
Judge Richards	Judge Barlow KC
Judge Rackemann	Judge Byrne KC
Judge Rafter SC	Judge Jackson KC
Judge Everson	Judge Dann
Judge Long SC	Judge Holliday KC
Judge Horneman-Wren SC	Judge McDonnell
Judge Morzone KC	Judge Wooldridge KC
Judge Kent KC	Judge Andreatidis KC
Judge Kefford	Judge Treviño KC
Judge Fantin	Judge Power KC
Judge Williamson KC	Judge Prskalo KC
Judge Coker	

Childrens Court of Queensland

Childrens Court judges during 2023/2024 are listed below:

Chief Judge Devereaux SC	Judge Porter KC
Judge Smith AM	Judge Rosengren
Judge Richards - President	Judge Fantin
Judge Dearden	Judge Williamson KC
Judge Rafter SC	Judge Coker
Judge Clare SC	Judge Jarro
Judge Everson	Judge Cash
Judge McGinness	Judge Allen KC
Judge Long SC	Judge Loury KC
Judge Farr SC	Judge Byrne KC
Judge Horneman-Wren SC	Judge Jackson KC
Judge Morzone KC	Judge Clarke
Judge Burnett AM	Judge Dann
Judge Sheridan	Judge Holliday KC
Judge Moynihan KC	Judge McDonnell
Judge Kent KC	Judge Wooldridge KC
Judge Chowdhury	Judge Treviño KC
Judge Kefford	Judge Power KC
Judge Lynch KC	Judge Prskalo KC
Judge Lynham	

Operational matters

Chief Judge's calendar

In the year under review, I sat in the various jurisdictions of the Court at Brisbane and on circuit at Townsville, Maroochydore, Ipswich, Southport, Beenleigh, Cairns and Rockhampton.

During the year I met with organisations involved in the justice system, such as the Queensland Bar Association, the Queensland Law Society, the Director of Public Prosecutions, Legal Aid Queensland, the Women Lawyers Association of Queensland and Protect All Children Today Inc. The last-mentioned organisation performs a crucial role in the support of witnesses in criminal proceedings in the Court. Judge Dearden regularly assists in the training of new volunteers.

The judges of the Court met monthly, with many attending remotely from the regional or circuit centres.

I met regularly with the Chief Justice, the Director-General of the Department of Justice and Attorney-General and senior officers of the department, the Principal Registrar and Assistant Director-General, the Sheriff, listings managers and Courts Information Technology staff.

Within the Courts, I attended meetings of the Focus Group, Courts IT Committee, the Courts Safety and Risk Committee, the Courts Communication Committee.

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 Principal Registrar 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.

With the support of the Sexual Violence Project Team Director, the development of the Sexual Violence Case Management Practice Direction, referred to below in the report of the Assistant Director-General, consumed significant time. It was a pleasure and honour to work with such a highly qualified and committed team and to chair the meetings of the Working Group.

With a group of judges, I received briefings from officers of the Department of Justice and Attorney General on legislative change.

Each month, the Chief Justice chaired a meeting of the Courts, the Department of Justice and Attorney General and, alternately, senior officers of justice system agencies (for example, Police, Corrective Services, Youth Justice, Parole) and representatives of the legal profession (for example, DPP, CDPP, QLS, LAQ, Youth Advocacy Centre). These short bi-monthly discussions present a valuable opportunity for the exchange of views and information and the timely adjustment of procedures.

I attended meetings of the Supreme Court Library Committee and the Financial and Risk Management sub-committee. The Supreme Court Library provides valuable service not just to the judges of the Supreme, District and Magistrates Courts, but to the legal profession

and many members of the public. The Library's Annual Report is available at <https://www.sclqld.org.au/about/corporate-information>. A short summary is attached to this report.

The Chief Judges of the District and County Courts of Australia and New Zealand met at Sydney in November 2023. The meetings provide unrivalled opportunity for inter-jurisdictional learning.

I also had the opportunity to spend time with Chief Judge Heemi Taumaunu, of the District Court of New Zealand, in August 2023 during and after the Colloquium of the Australian Judicial Officers Association. Judge Morzone, Judge Fantin and I were welcomed at Auckland by judges of the District Court, who shared insights into that Court's management of sexual violence cases, in anticipation of the development of a Queensland approach. We were also invited to a hearing of the Youth Court held on marae (Maori community centre). The procedure, known as Rangatahi Court, follows Maori cultural processes. This was, to say the least, an enlightening experience.

At the invitation of Beny Bol OAM, President of the Queensland African Communities Council, I attended and spoke briefly at Africa Day, held at Acacia Ridge on 22 June 2024. It was, again, a pleasure on behalf of the Court to meet a range of community leaders.

Practice Directions

During the year, eight District Court Practice Directions were amended or issued. They are listed in Appendix 1.

Committees

Many 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 Rules Committee, the Judicial IT Committees, and the District Court judges' committees.

Rules Committee

The Rules Committee, chaired by Justice Bond of the Supreme Court, included the Chief Justice, other judges of the Supreme Court and, from the District Court, Judge Rackemann, Judge Porter KC, Judge Barlow KC and Judge Jackson KC. The committee met monthly out of ordinary court hours.

Benchbook

The Supreme and District Courts Benchbook provides information and model directions for the judges conducting criminal trials. It is a work of collegiate endeavour. During the year under report, Judge Rafter SC, Judge Moynihan KC and Judge Byrne KC, Judge Cash and Judge Wooldridge KC contributed on behalf of the District Court.

The Sentencing Benchbook is also under review. Judges Lynch KC and Power KC represent the Court on the review committee.

District Court Committees

The Judges' committees assist and advise the Chief Judge in respect of the conduct of litigation by the Court and in responding to numerous law reform issues proposed by the Commonwealth or the State.

The membership of the judges' committees as at 30 June 2024 is as follows:

Procedure and Rules

Judge Barlow KC
Judge Jackson KC

Diversity and Inclusion

Judge Fantin
Judge Jarro
Judge Clarke
Judge Barlow KC
Judge Wooldridge KC

Criminal Law

Judge Dearden
Judge Rafter SC
Judge Farr SC
Judge Kent KC
Judge Loury KC

Judicial Conditions

Judge Farr SC
Judge Williamson KC

Judicial Well-being and Education

Judge Richards
Judge Sheridan
Judge Williamson KC
Judge Cash
Judge Wooldridge KC

IT Working Group

Judge Morzone KC
Judge Porter KC
Judge Cash
Judge Wooldridge KC

External Committees

Beyond the Court, judges sit as members of the Australian Institute of Judicial Administration (AIJA) Indigenous Justice Committee, the Australian Judicial Officers Association Governing Council and the National Judicial Council for Cultural Diversity. The latter committee is concerned with the many aspects of cultural diversity which confront judges in the modern Australian court.

Continuing judicial professional development

The internal judges' conference, jointly organised with the Supreme Court, was a great success in August 2023. On the District Court's part, Judge Suzanne Sheridan and the Chief Judge's Executive Assistant, Jan Daniels contributed substantially to the planning and organisation of the conference.

On 17-18 May 2024, with the support of the Sexual Violence Project Team, the Court held the inaugural District Court Judicial Conference on Sexual Violence in Brisbane, Queensland. The two-day conference brought together District Court Judges, the Chief Magistrate and Deputy Chief Magistrates to discuss wide ranging reforms to sexual offence proceedings arising from the Women's Safety and Justice Taskforce including changes to Queensland law with the passing of the Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024. Attendees had the opportunity to learn about the New Zealand Sexual Violence Court Pilot, impacts on complainants through the criminal justice process, Aboriginal and Torres Strait Islander experiences and culturally appropriate practices and managing judicial stress and psychological well-being.

Day two of the conference was hosted by the National Judicial College of Australia who delivered the Australian Government funded program Managing Sexual Assault Hearings. The program addressed the risk of misconceptions about sexual offending, conducting pre-recording hearings, dealing with expert evidence, framing directions for the appropriate questioning of a witness, the ways in which memory is affected by trauma and how to reduce the risk of trauma in the courtroom. The conference was very well received by attendees who provided positive feedback on the content, presenters and materials.

Apart from these conferences, judges regularly attended seminars and conferences, usually during court vacation or the judge's long leave. Reference has already been made to the Australian Judicial Officers Association Colloquium. Other examples include conferences held by the Queensland Bar Association and regional bar associations; Queensland Law Society or regional law society seminars; the annual Queensland Environmental Law Association conference. Of course, judges are often called upon to present papers at these events.

Judges' contributions to the legal professional community

Many judges, whether resident in Brisbane or a regional centre, contribute to local and national seminars, conferences, moots or academic institutions. The following is a sample of the contributions made during the year under review –

Presentations:

- James Cook University Advocacy intensive course, August 2023;
- Queensland Law Society Disciplinary Law Intensive, August 2023;
- Australian Bar Association Rule of Law Conference – panel member, September 2023;
- Coercive Control – How do you prove it? September 2023 and October 2023;
- Ethics at the Sunshine Coast Law Association conference, October 2023;
- QELA regional intensive - P&E Court update, October 2023;
- Evidence – Admissibility on common forms of evidence in fraud/corruption trials at Pacific Judicial Integrity Program, Vanuatu;
- Admissibility of common forms of documentary evidence, delivered to the Queensland Magistrates Court;
- Sentencing in the District Court, November 2023;
- Townsville District Court Lawyers Association First Nations Lecture, November 2023;
- QELA Conference, May 2024;
- Bar Association Planning and Environment Court update;
- Chair, Council of Australasian Tribunals National Conference, June 2024;

- Effective Written Advocacy in the Appellate Courts, presentation to counsel from DPP and Legal Aid, June 2024;

Committees:

- Member of the University of Queensland Senate;
- Supreme Court Library Committee;
- Supreme Court Library Collections sub-committee;
- National Judicial Council of Australia Family Violence in the Court Committee;
- Chair, Steering Committee for the establishment of the Expert Evidence Panel created by the *Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024*;
- Judicial Well-Being Judicial Advisory Panel.

Access to the Court

LawRight

LawRight provides the Self Representation Civil Law Service in the QEII 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 eligible 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 QEII Courthouse and is operated by staff from the Court's civil registry who provide procedural advice of a non-legal nature. The service is designed to assist and support litigants appearing in person in civil matters. It provides access to facilities including a designated meeting room, computer and printer access, to facilitate litigants in their preparation for court.

Office of the Assistant Director-General Supreme District and Land Courts Service

Julie Steel

The Office of the Principal Registrar and Assistant Director-General, 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 Supreme Court of Queensland.

Ms Julie Steel is the Principal Registrar and Assistant Director-General, and is supported by executive, administrative and registry staff throughout Queensland.

Additionally, Ms Steel is an ex-officio member of the Incorporated Council of Law Reporting, and of the Legal Practitioners Admissions Board. She is also a member of the Supreme Court of Queensland Library Committee, the Public Records Review Committee at Queensland State Archives and regularly attends meetings of the Rules Committee.

Registry services

Court registries are responsible for:

- receiving and sealing documents for filing and service
- providing procedural 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 and warrants to enforce the Court's civil orders.

Further registries with resident judges are located at Beenleigh, Ipswich, Maroochydore and Southport, and many other regional centres throughout Queensland are visited on circuit. Local Magistrates Courts registry staff perform the registry duties in those locations.

Registry workloads

Across the state, there were 6,659 criminal lodgements during 2023/2024, a decrease of 2.2% compared to 2022/2023, when 6,811 were received.

Jury trials before the District Court increased from 628 during 2022/2023 to 664 in 2023/2024. The average period of juror engagement for those trials increased from 3.6 days to 3.7 days.

Report on Government Services (RoGS) civil lodgements increased by 5.9%, from 3,867 in 2022/2023 to 4,096 during 2023/2024.

Jury Management and Circuit Support Team

In mid-2024, the Jury Management and Circuit Support (JMCS) team commenced in response to Recommendation 12 of the Court Services Queensland Workforce Review. The

team will pilot a specialised approach to support registry staff to deliver more complex services to the District Court.

The JMCS team has three Registrar positions and is led by a Senior Registrar. Recruitment work is underway, with Ms Tracy Dutton appointed as the Senior Registrar and recruitment of the three Registrars commencing in the second half of 2024.

The JMCS team will ensure effective, consistent, and high-quality jury and circuit support services are delivered by registries across Queensland. The team will undertake some of the more complex aspects of jury management, provide training and support to registry staff, and identify and deliver strategic improvements in how to best deliver these key services.

Many of the day-to-day jury management tasks will remain the responsibility of local registry staff. However, the new team will undertake some critical processing tasks, such as criminal history checks, and will focus on coordinating service delivery, training, and supporting staff across the state.

The JMCS team will form part of the broader Specialist Court Services unit which over time will also include other specialist courts' services such as support for affected child witness recording, bailiff training and management as well as registry-based wills and estates activities.

Queensland Intermediary Scheme

The Queensland Intermediary Scheme (QIS) was implemented as a pilot program in Brisbane and Cairns in July 2021 following recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse's Criminal Justice Report (2017). The scheme continued operation during the 2023/2024 financial year to allow consideration of the outcomes of the pilot's evaluation.

The scheme aims to overcome communication barriers and create a more accessible justice system by facilitating the communication of evidence that may not otherwise be heard. It does this by providing intermediaries, who are communication specialists, such as speech pathologists and social workers, to assess children under 16 years and adults with an impairment of the mind or communication difficulties who are witnesses in child sexual offences. The intermediary then advises police and the Courts about how to communicate with the witness to obtain their clearest evidence.

During 2023/2024:

- 197 referrals were received for eligible prosecution witnesses, of which 153 identified as female and 44 as male.
- 131 referrals were for matters before the Court (79 in Brisbane and 52 in Cairns) and 66 at the police investigative stage (53 across Brisbane region and 13 across the Cairns region).
- 11 referrals were outside of the scope of the scheme, that is outside of the geographical location or an offence other than a child sexual offence.

Referrals received identified 297 communication needs. The age of the prosecution witness (under 16 years) was identified as the greatest communication need with other reasons for referral being:

- physical impairments affecting speech
- mental impairment
- intellectual impairment
- ADHD

- autism spectrum disorder
- foetal alcohol syndrome disorder
- language or speech disorders.

Recommendations made by an intermediary to enable effective questioning of the witness have included:

- the manner of questioning.
- the duration of questioning and requirement for breaks.
- the use of models, plans and other visual or communication aids.
- the use and/or adaptation of an audio-visual link or communication facility.

The QIS will continue to deliver services in 2024/2025 as part of the *Community Safety Plan for Queensland*.

Protect All Children Today (PACT)

For almost 40 years, PACT has been working in partnership with the Court providing support to vulnerable victims and witnesses who have to give evidence. PACT and its community network of over 100 volunteers educates, empowers and supports victims, helping them understand the legal system and being present while they give their best evidence. As a small not-for-profit organisation, PACT services are available state-wide, ranging from in-person support to remote support provided via phone or video conferencing.

In the last 12 months, PACT has been an active participant in the significant change and reform that is occurring across the sector including contributing the respective programs of work in government, the Court and the broader non-government sector. The PACT network has supported over 2,500 clients in the past year providing:

- **Educational support and information:** PACT has spent significant effort providing age-appropriate educational resources for both children and adults, demystifying the complex Court process in easy to understand ways that are culturally sensitive, helping to reduce the fear of giving evidence and educating victims and their families on the key stages and what to expect during their justice journey.
- **Emotional Support:** PACT continues to provide a reassuring presence for children and adults as they prepare to give evidence including by being by their side when they view their initial police statement. A PACT volunteer also sits next to the child or adult victim or witness when they give evidence from the pre-recording room or in the Court, helping them stay calm, attentive and focussed with the aim of reducing their anxiety and any feelings of isolation or vulnerability.
- **Empowering Victims:** PACT helps victims find their courage, strength and resilience, giving them the confidence to find their voice and supporting their right to be heard without fear in Court.

PACT continues to respond to internal and external reform with ongoing organisational change aimed at increasing PACT's focus on volunteer development and training, the delivery of quality support to clients and strengthening volunteer and PACT culture. PACT continues to rely heavily on the generosity of local volunteers to support Queensland victims of crime and recognises the important role played by partners, supporters and the community. As the sector continues to experience transformational reform, PACT is actively working with the Courts and other government and non-government agencies to

ensure that PACT supports remain relevant and timely and continually improving how PACT supports our clients, volunteers and the broader community.

Sexual Violence Case Management Pilot

In 2023/2024, a project team was established to support the Chief Judge to respond to recommendations of the Women's Safety and Justice Taskforce's Report - *Hear her Voice Report Two*. Recommendations 69, 71 and 72 called on the Chief Judge, in consultation with key stakeholders, to improve the experiences of complainants and witnesses by establishing a specialist sexual violence list, case management of sexual offence proceedings and Mediated Case Conferencing.

To operationalise the Court's response to the recommendations and support the Chief Judge, the project team undertook preliminary work to inform policy design and the proposed approach to specialisation of sexual offence proceedings in the District Court of Queensland. This included sector-wide consultations, the commissioning of a literature review and national and international cross-jurisdictional analysis to understand the best-practice features of specialist Court responses to sexual offence matters. A multi-agency Working Group was also established with senior representatives of the Office of the Director of Public Prosecutions, Queensland Law Society, Bar Association Queensland, Legal Aid Queensland, Victims Assist Queensland, Department of Premier and Cabinet, First Nations Justice Office, and the Office of the Interim Victims Commissioner to inform the feasibility and design of the model.

In early 2024, the Working Group considered an Options Paper and endorsed a preferred approach to commence a three-year Sexual Violence Case Management Pilot in the District Courts in Brisbane and Ipswich from 2 September 2024. The Chief Judge adopted that approach and decided to issue a Practice Direction to formalise it. The Pilot is designed to support early identification and resolution of issues, minimise delays to the Court process, provide greater certainty for all court users and reduce re-traumatisation by improving the experience of witnesses.

Acknowledgements

I am proud of the registry staff and their ongoing enthusiasm, commitment and professionalism in discharging their duties. Their efficient management of increasing workloads, innovation while doing so and embrace of change are without doubt some of the most significant assets of the Court.

Too many people to name individually have made timely and significant contributions which have been essential in allowing us to do our part in enabling the work of the Court to continue.

The forbearance, support and assistance of judges and legal practitioners, particularly in the face of the difficulties which sometimes arise in providing registry services, is also greatly appreciated. Their willingness to engage with the registry to continue improvement of our service delivery is equally appreciated.

Supreme Court Library Queensland

Marian Morgan-Bindon

Supreme Court Library Queensland, an independent statutory authority, is Queensland's principal legal information provider. Since our establishment in 1862, we have been guided by our mission to serve the administration of justice in Queensland by providing legal information services to the Queensland judiciary, legal profession, and broader community.

The library is administered under the *Supreme Court Library Act 1968* (the Act) and the Supreme Court Library Rules. We provide a range of services to fulfil our statutory obligations under the Act.

We support customers in navigating legal content by providing a range of information, training, and legal research services and products. Our comprehensive legal research collection includes online and print materials spanning local, national and international publications.

We are the official publisher of the unreported decisions of Queensland Courts and tribunals via our CaseLaw service. We also manage the Queensland Sentencing Information Service (QSIG), which is relied upon by Queensland's criminal lawyers and Courts to assist with sentencing offenders.

We preserve and share Queensland's legal heritage by maintaining an extensive legal heritage collection, curating exhibitions and displays, delivering a popular lecture series, and educating students and community members about Queensland's legal system.

Our priority is to provide a seamless, efficient and satisfying experience for our customers, whether they are visiting the library in person or online.

I warmly acknowledge the continued advice and invaluable contributions of our dedicated members the Library Committee and subcommittees. The tireless efforts of these subcommittees are an essential part of the library's success as we continue to focus on developing business models at operational and strategic levels. My special thanks are extended to the Hon Chief Judge Brian Devereaux SC who plays a key role on Library Committee and the Financial and Risk Management Committee for the assistance freely and generously given.

On 5 December 2023, we successfully launched the new public library website.

Redesigned and redeveloped with users in mind, scld.org.au has a fresh new look, updated content, and combines our old websites into a single, mobile-friendly site that is easier to search and navigate.

- We have combined our old public websites (corporate website, Sir Harry Gibbs Legal Heritage Centre website and Virtual Legal Library) into a single site with improved navigation and site search making it easier to find the information you're looking for.
- The new website is more reliable and uses a responsive design for a better user experience regardless how or where you access the site (desktop, laptop, tablet, or mobile).
- We have refreshed the look and feel with a modern, responsive design, new images, and some improvements to accessibility.
- We have upgraded some of the systems and technology that underpin the site to make it more stable and secure. This is complemented by new site administration practices that make it easier for us to maintain and upgrade the site in future.

- We implemented a new ‘one library’ content strategy and undertook a complete review and rewrite of content to bring it up to date, improve the information architecture, and establish policies and practices to ensure content is continually reviewed and updated.
- New featured and related content areas help expose new content and direct customers to helpful, related information, as well as promote library services and events.

The Judicial Virtual Library (JVL) was not in scope for this phase of our websites redevelopment project, though there were some changes for JVL users as we consolidated key collections and services into the public website, such as search, CaseLaw and the catalogue.

As well the technical aspects of the launch, we implemented a comprehensive release plan, which included communication, change management, and customer support plans to ensure our key stakeholders and customers were well-informed and supported in navigating and using the new website.

CaseLaw, our timely and authoritative collection of the unreported judgments of current and historical Queensland Courts and tribunals, is our most used service. Nearly 2,100 new judgments were published in 2023/2024. We are proud to not only achieve but exceed our target to promptly publish judgments, with most decisions published within one hour of receiving them. We also published over 1,730 publicly available sentencing remarks transcripts from the Supreme and District Courts of Queensland and added over 4,400 sentencing remarks transcripts to the Queensland Sentencing Information Service (QSIG).

Our legal information research service continued to be of valuable assistance to the legal profession and general public customers with almost 7,000 research requests answered and over 17,000 items supplied to customers in response to those requests. This service includes assisting judiciary to obtain the information they need to provide justice outcomes for Queensland. Support of the judiciary accounted for 7% of total requests.

We continued to assist with access to legal information through the library’s current awareness newsletter, Queensland Legal Updater and by offering access to key legal information resources through the Judicial Virtual Library, for the judiciary, and the Virtual Legal Library for eligible legal practitioners.

We continued to improve the legal research skills of the legal profession by providing free legal research training. Specific legal research training programs were provided to the judiciary, judicial associates and support staff. Research sessions were also provided as part of the Bar Practice Course and to members of the Queensland Young Lawyers and other early career lawyers and university students and graduates.

Our free education program continues to provide all Queenslanders with the opportunity to explore and understand our legal system through a diverse range of programs including approximately 4,500 visitors seeing the legal system in action by viewing court.

One of our more unique programs enabled over 2,000 legal studies students to have an up-close and personal interaction with a judge either in Brisbane or while a judge was on circuit to a regional area of Queensland. These students gained a unique and insightful perspective into Queensland’s legal system through the eyes of a judge or magistrate who held question and answer sessions, mock trials and presentations. We extend our heartfelt thanks to all District Court judiciary whose invaluable support, enthusiasm and participation makes this educational program possible. We are especially grateful that we could extend the reach of this program to students and educators in regional Queensland by

providing them with opportunities to engage with the Queensland Court system and legal professionals in a similar way to those located in South East Queensland. Secondary school students in Toowoomba, Mackay, Bundaberg and Maryborough heard from six different judges of the District Court of Queensland.

During 2023/2024 we guided over 2,000 visitors through an exploration of the Queen Elizabeth II Courts of Law and our Sir Harry Gibbs Legal Heritage Centre which includes our exhibition *Criminal law: then, now and tomorrow*. Our level 12 library space also hosted two major exhibitions—*So well and diligently set forth-Rare books from the Supreme Court Library Queensland collection* showcasing highlights from the library's impressive rare books collection, and *A force for good: past, present and future* commemorating 150 years since the foundation of Queensland's first law society in 1873.

The legal heritage display *Lutwyche and Gibbs: a century apart* was installed in the Brisbane library in January 2024. It compared the careers of these prominent Queensland judges:

- The Honourable Alfred Lutwyche QC, Judge of the Supreme Court of Queensland (1859–1880)
- The Honourable Sir Harry Talbot Gibbs, Judge of the Supreme Court of Queensland (1961–1967) and Justice of the High Court of Australia (1970–1981) (and later Chief Justice of the High Court)

We curated several other displays during 2023/2024, including:

- a member-only white glove experience for the Selden Society. Members interacted with paintings, significant historical documents, rare books, historical judicial robes and other legal heritage materials
- special exhibits for the legal practitioner admission ceremonies throughout the year highlighting the individual achievements of Queensland's talented legal professionals as told through the Roll of Solicitors.

We support the Queensland community learning about Queensland's legal heritage by organising a program of Selden Society lectures throughout the year. With the generous support of the Chief Justice, the lectures are hosted in the Banco Court in the Queen Elizabeth II Courts of Law in Brisbane. We also livestream them, so they are accessible to the wider legal history community in Queensland and publish recordings of the lectures on our YouTube channel and Selden Society podcast series.

There was a renewed focus in 2023/2024 on our regional courthouse libraries and collections. The Cairns Supreme Court Library was officially reopened in April 2024. Work commenced on reopening the Rockhampton library in 2023/2024 in consultation with, and with the continued support of the Courts for a new library model.

Looking ahead to 2024/2025, we will continue to support Queensland's District Court judges with a high level of support, training and resources.

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.

Table 6: District Court practice directions

Number	Description	Date issued
No 6 of 2023	Commercial List – District Court	18 August 2023
No 7 of 2023	Temporary Closure of Cairns Registry	12 December 2023
No 8 of 2023	Re-Opening of Cairns Registry	14 December 2023
No 9 of 2023	Temporary Closure of Cairns Registry	17 December 2023
No 10 of 2023	Further Temporary Closure of Cairns Registry	18 December 2023
No. 1 of 2024	Temporary closure of Townsville registry	29 January 2024
No. 2 of 2024	Direct Access Briefs	18 April 2024
No. 5 of 2021	Protected Counselling Communications (Amended)	29 May 2024

Appendix 2: District Court associates as at 30 June 2024

Associates' appointments

Associates are appointed by the Chief Judge pursuant to s36(2) of the *District Court of Queensland Act 1967*.

Teaghan Smith	Associate to His Honour Chief Judge BG Devereaux SC
Natalie Maltby	Associate to His Honour Judge PE Smith
James O'Rourke	Associate to Her Honour Judge D Richards
Claudia Nelson	Associate to His Honour Judge IFM Dearden
Jack Mannion	Associate to His Honour Judge AJ Rafter SC
Meg Little	Associate to Her Honour Judge LJ Clare SC
William Pyke	Associate to His Honour Judge WG Everson
Mia Campbell	Associate to Her Honour Judge KM McGinness
Mia Foley	Associate to His Honour Judge GP Long SC (Maroochydore)
Charley Adames	Associate to His Honour Judge BW Farr SC
Jordan Duncombe	Associate to His Honour Judge AA Horneman-Wren SC (Ipswich)
Ashley Raymond	Associate to His Honour Judge DP Morzone KC (Cairns)
James MacMillan	Associate to His Honour Judge MJ Burnett AM
Georgia Kinneally	Associate to Her Honour Judge SC Sheridan
Sophia Anderson	Associate to His Honour Judge A Moynihan KC
Kate Bassett	Associate to His Honour Judge DR Kent KC
Samantha Capell	Associate to His Honour Judge MC Chowdhury (Beenleigh)
Charlotte Coorey	Associate to Her Honour Judge NJ Kefford
Lachlan Smith	Associate to His Honour Judge DR Lynch KC (Ipswich)
Holly Reincastle	Associate to His Honour Judge GP Lynham (Townsville)
Nicola Eadie	Associate to His Honour Judge BT Porter KC
Hannah James	Associate to Her Honour Judge JM Rosengren
Isabella Borchert-Jonker	Associate to Her Honour Judge T Fantin (Cairns)
Adrienne Soteriou	Associate to His Honour Judge M Williamson KC
Joshua Pether	Associate to His Honour Judge J McG Coker (Townsville)
Isabella Harding	Associate to His Honour Judge N Jarro
Georgia Coen	Associate to His Honour Judge G Cash (Maroochydore)
Sophie Bai	Associate to His Honour Judge J Allen KC
Alex Campbell	Associate to Her Honour Judge V Loury KC
Jessica Farrell	Associate to His Honour Judge K Barlow KC
Elizabeth Rudz	Associate to His Honour Judge T Gardiner
Kayleen Clements	Associate to His Honour Judge M Byrne KC
Stella de Geest	Associate to His Honour Judge R Jackson KC (Southport)
Charlotte O'Sullivan	Associate to His Honour Judge J Clarke (Rockhampton)
Hamish Prasad	Associate to Her Honour Judge GB Dann (QCAT)
Taylor Holliday	Associate to Her Honour Judge D Holliday KC (Southport)
James Kimmins	Associate to Her Honour Judge A McDonnell
Angus Robertson	Associate to Her Honour Judge J Wooldridge KC (Southport)
Declan Carr	Associate to His Honour Judge N Andreatidis KC
Lillian Barker	Associate to His Honour Judge C Heaton KC
Mich��� Du Buisson	Associate to His Honour Judge J Trevi��o KC (Cairns)
Hannah Collins-Woolcock	Associate to His Honour Judge B Power KC (Ipswich)
Sophie Whitley	Associate to Her Honour Judge K Prskalo KC (Southport)