



QUEENSLAND COURTS

Department of Justice and Attorney-General

Transcript Format and Style Guide

Version 3 as at 17 July 2023

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SECTION 1: GENERAL

What to type and what not to type

All transcript types are to be transcribed in full except:

Evidence-Only Criminal Trial transcript

Criminal Trial transcripts requested as product type Trial are generated in **Evidence Only format**.

An evidence-only transcript will include commencement of the trial up till Jury Empanelment and nothing further until commencement of Opening Addresses. This portion of proceedings is represented by ellipsis in the transcript..

Opening address(es) are represented by banners in the transcript.

Everything from immediately following conclusion of opening address(es) through to Summing Up is to be transcribed, except Closing Addresses (represented by banners).

An evidence-only transcript will end when the judge commences summing up of the trial to the jury. This is shown in the transcript by the line **TAKE IN SUMMING UP**.

Summing-Up/Redirections and Verdict are separate transcript requests.

The next level of inclusiveness for a criminal trial transcript is product type **Full Transcript**.

Should a Full Transcript request for a criminal trial be received, everything spoken on the day (including Ellipsis portion and/or Opening and Closing Addresses) is to be transcribed, including relevant banners.

Should a request for a Full Transcript be placed for an evidence-only transcript already produced in evidence-only format, the portions omitted in the evidence-only transcript will be included in the initial transcript to provide a Full Transcript.

Where Ellipsis is to be applied to a transcript

See 3.7 - Ellipsis (three dots)

1.1 Acts and Rules

When typing sections and subsections of an Act in transcript, represent it as the speaker says it. If the words “section”, “subsection” are said, type the words as spoken. If the speaker abbreviates, we abbreviate. If you are given the Act title, confirm the reference layout by googling the relevant Act section.

Do not abbreviate the name of Acts.

Crimes Act part I (lowercase p for part) division 1 section 74A section 74A(1)(a)(i)	Evidence Act chapter 1 part 1, 2, 3, 3A division 1, 1A section 12 section 101A, 21AK section 101A(a)(i) section 10(1) section 64(1)(a)
Uniform Civil Procedure Rules chapter 1 chapter 3, part 1, division 1 chapter 3, part 1, division 4, section 75 chapter 1, part 2, section 17 chapter 2, part 4, section 29(1) part 6, division 2	Supreme Court of Queensland Act part 1, part 2, part 3 part 2, division 1 part 3, division 1, section 29(1)
Industrial Relations Act 2016 chapter 1 chapter 2, part 1, division 1, subdivision 1 section 30 section 79(1), section 80(1)(c)(ii)	

When an unnamed Act is referred to, use the numbering convention below as a guide:

section 111(1)(g)(iv) section 47AB(2)(c)

section 4B, subsection (1), paragraph (1), subparagraph (ii) (if the words are used)

1.2 Addresses - opening and closing

In Criminal jurisdiction

Opening and closing addresses in higher court (Supreme and District Court) criminal trials are not transcribed unless requested either as separate, stand-alone transcripts or as part of a Full Transcript request.

Should an Evidence Only criminal trial transcript request be amended to a Full Transcript request by 9.30am on the day, a complete transcript of the day's proceedings will be generated including Opening/Closing addresses as appropriate.

If opening/closing addresses are not to be transcribed, the transcript will show the applicable banner only.

Examples of opening addresses banners:

MR SMITH OPENED THE CASE FOR THE CROWN

MR BROWN OPENED THE CASE FOR THE DEFENDANT

DEFENDANT OPENED THEIR OWN CASE

DEFENDANT BURNS OPENED THEIR OWN CASE (*where more than one defendant appears*)

Note: It won't always be the case that the defendant/defence will open their case immediately following Crown Opening. It is more usual that the Crown will open their case, call all their witnesses and conclude their case before the defence/defendant will be asked if they intend calling evidence. If the defence/defendant does want to call evidence or witnesses and address the jury beforehand the relevant Opening banner would then be inserted.

Should opening addresses be interrupted for an adjournment and then continue after resumption, the following banner would apply:

MR JONES CONTINUED OPENING THE CASE FOR THE CROWN

If opening addresses are to be transcribed, show as follows. When each counsel's opening address has concluded, come down two clear lines and enter a new banner for the next opening addresses. Leave two clear lines and continue with transcript. For example:

MR BROWN OPENED THE CASE FOR THE CROWN:

Ladies and gentlemen, I will now tell you the facts of the case...

HIS HONOUR: Mr Brown, we will take a short break. Adjourn the court.

ADJOURNED

[10.03 am]

RESUMED

[10.20 am]

HIS HONOUR: Yes, Mr Brown.

MR BROWN CONTINUED OPENING THE CASE FOR THE CROWN:

As I was saying before we adjourned...

HIS HONOUR: Mr Green, thank you.

MR GREEN OPENED THE CASE FOR THE DEFENDANT:

Ladies and gentlemen of the jury...

HIS HONOUR: Thank you, Mr Green.

Further Opening Addresses – criminal jurisdiction

Only transcribe if opening addresses are requested.

When counsel has delivered an opening address and called witnesses, and then decides to call more witnesses and presents further opening address, show (two lines either side):

MR SMITH FUTHER OPENED THE CASE FOR THE CROWN

MR JONES FURTHER OPENED THE CASE FOR THE DEFENDANT

Closing addresses – criminal jurisdiction

If closing addresses are not to be transcribed, enter two clear lines either side of the following example banners (*where “Mr Smith” will be replaced by the applicable counsel name*):

MR SMITH ADDRESSED THE JURY

DEFENDANT ADDRESSED THE JURY

Should closing addresses be interrupted for an adjournment and then continue after resumption, the following example banner would apply:

MR JONES CONTINUED ADDRESSING THE JURY

If closing addresses are to be transcribed, show as follows. When each counsel’s closing address has concluded, come down two clear lines and enter a new banner for the next Closing Addresses. Leave two clear lines and continue with the transcript.

For example:

HIS HONOUR: Yes, Mr Smith.

MR SMITH ADDRESSED THE JURY:

Members of the jury you have heard today...

HIS HONOUR: Yes, Mr Green.

MR GREEN ADDRESSED THE JURY:

Ladies and gentlemen of the jury...

HIS HONOUR: Members of the jury, you have heard...

If no jury is present in the matter, example banners are as follows:

MR SMITH ADDRESSED HIS/HER HONOUR

MR SMTH CONTINUED ADDRESSING HIS/HER HONOUR

DEFENDANT ADDRESSED HIS/HER HONOUR



In Civil jurisdiction – Supreme and District Courts

Opening addresses – civil jurisdiction

All civil jurisdiction matters (including Planning & Environment and Appellate matters) are transcribed in full, including all addresses.

Generally, civil jurisdiction opening/closing addresses are rather informal and may be limited to a series of submissions from the Bar table. However, the presiding Judge may invite counsel to open, especially if witnesses are to be called, and also present closing remarks before Judge adjourns the matter to considering their judgment.

Examples of opening addresses banners:

MR SMITH OPENED THE CASE FOR THE APPLICANT

MR BROWN OPENED THE CASE FOR THE PLAINTIFF/RESPONDENT

PLAINTIFF OPENED THIER OWN CASE

RESPONDENT BURNS OPENED THIER OWN CASE

As Civil jurisdiction addresses are transcribed in full, transcript of addresses will commence on the next line under the banner. For example:

HIS HONOUR: Yes, Mr Smith.

MR SMITH OPENED THE CASE FOR THE APPLICANT:
The case for my client is...

Further opening – Civil

When counsel has delivered an opening address and called witnesses, and then decides to call more witnesses and presents further opening address, show (two lines either side of banner):

MR SMITH FUTHER OPENED THE CASE FOR THE APPLICANT

Closing Addresses – Civil

Closing addresses are to be transcribed in full. The following example banners commence closing addresses:

MR SMITH ADDRESSED HIS/HER HONOUR

PLAINTIFF ADDRESSED HIS/HER HONOUR

Closing Addresses – Civil jurisdiction matters before a Jury

In the unusual event a civil trial is heard before a Jury, the following example banners commence closing addresses:

MR SMITH ADDRESSED THE JURY

RESPONDENT ADDRESSED THE JURY

In Magistrates Court

All Magistrates Court matters are transcribed in full, including any Opening/Closing Addresses. Addresses are uncommon in Magistrates Court matters and generally occur in summary trial matters.

Where opening/closing addresses occur, enter the applicable banner per Criminal and Civil jurisdictions above.

Note: ADDRESSED THE JURY banners are not applicable to Magistrates Court transcripts as no Magistrates Court matters are heard before a jury.

Quoting transcript evidence during Closing Addresses

Should counsel quote passages from transcript during their closing addresses, these are typed in full in all instances. See 3.23 – Quotation of Written Material.

Footers – Opening and Closing Address in all jurisdictions

A footer will show on each page of Opening or Closing Addresses transcript or should addresses be transcribed in full within a Criminal/Civil trial/hearing transcript.

For example:

(text of address)		
MR JONES	1-55	ADDRESSES

1.3 Adjournments and Resumptions

Use the appropriate banners to show adjournments and resumptions. Two carriage returns are to be entered either side of an adjournment/resumption banner.

During proceedings

The following generic banners are applied to all DJAG transcripts, regardless of jurisdiction unless:

- Matter is before a jury (see following examples)

An adjournment during the proceedings is generally followed by a resumption of the proceedings. Two clear lines are entered either side of the adjournment/resumption banners.

For example:

HIS HONOUR: We will adjourn until Midday.	
ADJOURNED	[11.30 am]
RESUMED	[12.10 pm]
HIS HONOUR: Yes, Mr Smith?	

Conclusion of a matter

Unless:

- the matter is continuing/adjourned to a return date (see below)
- the transcript concludes with a TAKE IN banner
- the transcript concludes with a TIME notation (see Summing Up/Redirections),
- the recording of the matter had ceased at the direction of the presiding judicial officer and the matter adjourned without resuming recording (see 1.23 – Not to be recorded and matter adjourned without resuming)

all transcripts should conclude with a short line, flush left and two carriage returns below the final line of transcript text.

The short line is 22 underscore keystrokes in Times New Roman 12.

For example:

HIS HONOUR: Thank you, Mr Smith; Madam Bailiff, adjourn the court.

If a return date is stated (usually for continuing matters such as a criminal trial), apply the following format to show the matter will be resuming at a time in the future.:

MATTER ADJOURNED at 3.42 pm UNTIL WEDNESDAY, 22 MAY 2023

For example:

HIS HONOUR: Could I just confirm that the address of the caravan park is 12 Blogg Road, Herston?

MR SMITH: That's correct, your Honour. Yes.

HIS HONOUR: Thank you. All right. We'll adjourn and resume at 9.45 tomorrow.

MATTER ADJOURNED at 3.42 pm UNTIL WEDNESDAY, 22 MAY 2013

If a return date is not stated but it is clear from the transcript that the matter will be resuming in the future, the following format can be applied:

THE MATTER ADJOURNED at 4.25p pm TO A DATE TO BE FIXED

Banners to conclude partial Same Day Progressive/Non-progressive transcripts

Banners should show time transcript concludes.

For example:

TRANSCRIBED TILL 11.30 AM

TRANSCRIBED TILL 2.30 PM

Adjournments and TAKE IN banners

If a transcript concludes with a TAKE IN banner, no adjournment banner is required following the TAKE IN banner.

Adjournments during Ellipsis portion of an “evidence only” criminal trial transcript

No banner is required when adjournment/resumption occurs during the portion of the trial which is covered by the ellipsis entry, ie, jury empanelled, bailiff sworn, defendant placed in the charge of the jury, judicial address and all the other missing text which occurs before the opening.

Should the Ellipsis portion be transcribed as a stand-alone transcript or within a full type trial transcript, show adjournment/resumption banners as applicable.

Resumptions after Day 1

Unless a Summing Up/Redirections transcripts where the jury has commenced deliberations (see Summing Up), if a matter continues for more than one day, the first banner at the commencement of each subsequent day will be the RESUMED banner with the time stamp.

RESUMED

[10.03 am]

HIS HONOR: Yes, Mr Smith?

MR SMITH: Sorry about this, your Honour. The witness informs me that in the era between 5 o'clock yesterday just prior to us resuming today, she's received some text messages from her daughter.

Adjournments/Resumptions with a jury – Criminal and Civil jurisdictions

Use the following banners when the court adjourns and resumes with the jury present at both times.

HIS HONOUR: Adjourn the Court.

ADJOURNED

[11.10 am]

RESUMED

[12.01 pm]

HIS HONOUR: Mr Smith, before the break...



Use the following banner if the jury was absent when the court adjourned but is present when the court resumes.

THE JURY RETIRED	[11.00 am]
HIS HONOUR: Now, Mr Jones...	
(text of transcript)	
HIS HONOUR: Adjourn the court.	
ADJOURNED	[11.10 am]
RESUMED IN THE PRESENCE OF THE JURY	[12.01 pm]
HIS HONOUR: Yes, Mr Smith?	

Use the following banner if the jury was present when the court adjourned (ie, there was no JURY RETIRED banner) but is absent when the court resumes, and then the jury returns.

ADJOURNED	[11.00 am]
RESUMED IN THE ABSENCE OF THE JURY	[12.10 pm]
(text of transcript)	
THE JURY RETURNED [12.21 pm]



Use the following banner when the jury retires, after which the court adjourns, then the court resumes and then at some later point the jury returns:

THE JURY RETIRED	[11.00 am]
(text of transcript)	
ADJOURNED	[11.10 am]
RESUMED	[12.01 pm]
(text of transcript)	
THE JURY RETURNED	[12.40 pm]

Adjournments and Resumptions – during Addresses

If an adjournment occurs during opening or closing addresses to be transcribed, show as follows:

MR SMITH OPENED THE CASE FOR THE CROWN: Members of the jury...	
HER HONOUR: Mr Smith, it's been about an hour. Would you like to take a short break and we'll let the jury stretch their legs and come back?	
MR SMITH: Yes. Thank you, your Honour.	
ADJOURNED	[11.10 am]
RESUMED	[12.01 pm]
HER HONOUR: Thank you, Mr Smith. Thank you, members of the jury.	
MR SMITH CONTINUED OPENING THE CASE FOR THE CROWN: Ladies and gentlemen of the jury...	

MR BROWN ADDRESSED THE JURY:

Members of the jury...

HER HONOUR: Mr Brown, it's been about an hour. Would you like to take a short break and we'll let the jury stretch their legs and come back?

MR BROWN: Yes. Thank you, your Honour.

ADJOURNED

[2.33 pm]

RESUMED

[2.55 pm]

HER HONOUR: Thank you, Mr Brown. Thank you, members of the jury.

MR BROWN CONTINUED TO ADDRESS THE JURY:

Now, ladies and gentlemen, before the break we were...

HIS HONOUR: Thank you, Mr Brown...

If opening/closing addresses are not transcribed per Evidence Only Criminal Trial transcript, and an adjournment/resumption occurs during addresses, show adjournment/resumption as:

MR SMITH ADDRESSED HIS HONOUR

ADJOURNED

[10.24 am]

RESUMED

[11.00 am]

MR SMITH CONTINUED TO ADDRESS HIS HONOUR

Adjournments and Resumptions – Revisable Transcripts

Normal adjournment/resumption banners apply during revisable transcripts except application of the [TIME] banner as court adjourns/resumes during Summing-Up/Redirections.

Other than Summing-Up/Redirections, in the event that the delivery of a revisable transcript takes place over more than one day, the ADJOURNED UNTIL banner should be used at the end of each day's revisable transcript.

For revisable transcripts where no TIME/ADJOURNED UNTIL banners are applied per above, transcripts will end with a short line from the left margin.

HIS HONOUR: All right. Well, the sentence will remain as I stated it. Do you have anything to add, Mr Smith?

MR SMITH: No, your Honour.

HIS HONOUR: Ms Jones?

MS JONES: No, thank you, your Honour.

HIS HONOUR: All right. Thank you both for your assistance. Just adjourn to chambers.

1.4 Appearances

Appearances should be typed verbatim in the transcript text. When appearances are announced, or when the name of counsel or a self-represented person appears in the margin *for the first time*, their initials are shown, plus KC or SC if appropriate, but they are shown only once. Counsel are then shown simply as Mr, Ms, etcetera, with no initials and no KC or SC after their name. Note that female speakers are always shown as MS in the margin, unless specific instruction is provided otherwise.

Each initial is followed by a full stop. No space occurs between initials if more than one is typed: MR A.B.C. SMITH:

When a hearing occurs over consecutive days, only reproduce counsel's initials if formal appearances are taken again.

When counsel appear "with" other legal counsel to support them in court, that person's name is typed in capital letters, as it is said. Type the accompanying counsel's initials only if they are said.

MR A. SMITH KC: Thank you, your Honour. If your Honour pleases, my name is Smith, initial A., of King's Counsel. I appear with my learned friends MR WHITE and MR GREEN for the Commissioner of the Australian Federal Police.

MR A.B. BROWN: Good morning, your Honour. Brown, initials A.B., Brisbane Criminal Lawyers, on behalf of the defendants.

Note: In QIRC matters, counsel may often appear with someone from a union or a representative body, ie, not an instructing solicitor or another advocate. That other person's name does not need to be capitalised.

MR A. SMITH: So it's Anthony Smith for the Queensland Services Industrial Union of Employees, and Mr James Green from the union.

Typing of numbered parties

In the transcript text, follow the general rule for typing numbers, that is, zero to nine in words and 10 and above in numerals:

MR GATES: I appear for the second, fifth and eighth respondents, your Honour.

MR BAINTON: For the 12th and 13th respondents, your Honour.

Self-represented – criminal trial appearances

In the event that an accused person in a criminal trial appears on his/her own behalf, transcribe his/her appearance verbatim.

Designation at the margin for self-represented accused is DEFENDANT. A surname is only added if there is more than one defendant in the matter. For example, if three defendants are listed in a matter but only one defendant is present in court, use DEFENDANT SURNAME: to identify that particular defendant.

DEFENDANT:
DEFENDANT A. SMITH:
DEFENDANT B. SMITH:
DEFENDANT BURNS:

Self-represented - civil and appellate jurisdictions

PLAINTIFF:
DEFENDANT:
DEFENDANT SMITH: *(if more than one self-rep party)*
APPLICANT: *(a self-rep party appearing as an individual)*
APPLICANT SMITH: *(more than one self-rep party appearing as an individual)*
RESPONDENT: *(a self-rep party appearing as an individual)*
RESPONDENT JONES: *(more than one self-rep party appearing as an individual -*
Note: *in a matter which has more than one respondent listed as a party but*
only one respondent appears in court, use this entry)
MR SURNAME: *(a self-rep party appearing on behalf of a company)*
MS SURNAME: *(a self-rep party appearing on behalf of a company)*

Self-represented - QIRC appearances

Self-represented parties
during a hearing

APPLICANT:
RESPONDENT:

during a workers'
compensation hearing

APPELLANT:

during an
anti-discrimination
hearing

COMPLAINANT:

Self-represented parties (both applicant and respondent)
during a conference

MR SURNAME:
MS SURNAME:

Self-represented – District Court Appellate and Court of Appeal appearances

APPELLANT:
RESPONDENT:

1.5 Bail Applications

Supreme Court: Bail Applications are heard in Civil Jurisdiction if no indictment has been presented and Criminal Jurisdiction if an indictment has been presented.

District Court: Bail Applications are generally heard in Criminal Jurisdiction as these matters are assigned to a District Court once an indictment has been presented.

If there is uncertainty as to correct jurisdiction for a Bail Application Matter, default to the jurisdiction assigned to the original matter listing.

Bail Application matters will generate a hearing (submissions/legal argument etcetera) and separate (revisable) Order transcript. Should the presiding Judge deliver his Orders as to bail ex-tempore immediately following submissions, the hearing transcript will conclude with a **TAKE IN ORDER** banner.

Example of Bail Application transcript cover page:

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

BODDICE J

No 7436 of 2020

IN THE MATTER OF AN APPLICATION

FOR BAIL BY JOHN JAMES SMITH

BRISBANE

9.07 AM, THURSDAY, 16 JULY 2020

1.6 Bench Warrant

Should a defendant's appearance be required for a matter (generally sentencing proceedings, pre-trial hearing, pre-recorded evidence or a trial) and the defendant not appear, the presiding Judge will enquire of defence counsel as to whereabouts of the defendant. Should the Judge be satisfied there is an acceptable reason for the defendant's non-appearance, or in instances where the defendant is delayed attending court but will be available later in the day, the Judge will generally just adjourn the matter to a date/time.

However, if the defendant's whereabouts is not known, the defendant is considered to be "at large" and Judge will issue a Bench Warrant for the arrest of the defendant. Judge will usually state: "Bench Warrant issue" and the matter will conclude.

Bench Warrant proceedings appear verbatim in the transcript.

In the unusual event a transcript of the Bench Warrant issue is required, the order portion is extracted from the main transcript and generated as a separate revisable transcript with the banner **BENCH WARRANT** on the cover page and the banner **TAKE IN ORDER** inserted into the main transcript.

1.7 Calling/announcement of a matter at commencement of proceedings

Include the calling/announcement of the matter verbatim, in all jurisdictions.

Do not abbreviate the matter name per 1.8 - Authorities and Cited Case Law References

1.8 Authorities and Cited Case Law References

The use of “v”, “against”, “versus” or “and” and “The King”/“The Queen”/“Rex”/“Regina”

- In all instances, use “v”
- The speaker says “the King/the Queen” or “Rex/Regina”, type as “R”

eg, “the King/Queen v Smith” or “Rex/Regina and Smith” or “R against Smith”, these are typed in an abbreviated form as “R v Smith”

- However, if the Crown is a party in a High Court of Australia matter (eg, an appeal to the High Court of Australia regarding a Judgment of the Queensland Court of Appeal), “The King/The Queen” (common usage) or “Rex/Regina” (uncommon usage) is to be transcribed verbatim

For example, “Jones and the King/The Queen” or “Jones against The King/The Queen” would be transcribed as “Jones v The King/The Queen”

Dates

Dates of cited authorities/case references should be shown with square brackets

For example:

If said as: The King and Smith 2022 Queensland Court of Appeal 34
Type as: R v Smith [2022] QCA 34

If said as: The Queen v Smith 2008 Queensland Court of Appeal 34
Type as: R v Smith [2008] QCA 34

If said as: Regina v Smith 2008 Queensland Court of Appeal 34
Type as: R v Smith [2008] QCA 34

If said as: Rex v Smith 2022 Queensland Court of Appeal 34
Type as: R v Smith [2022] QCA 34

If said as: Smith and The King 2022 High Court of Australia 23
Type as: Smith v The King [2020] HCA 23

If said as: Regina against Smith 2020 High Court of Australia 23
Type as: Regina v Smith [2020] HCA 23

Example of abbreviated layout

MR SMITH: I should now like to refer the court to the case of Kuffner and Brown, which is reported in 1976, volume 3, Federal Law Reports at page 26.

Type as

MR SMITH: I should now like to refer the court to the case of Kuffner v Brown [1976] 3 FLR 26.

Note: Case names should not be italicised unless specifically directed by the speaker.

Case Law terminology

Re in the matter of

Ex parte someone who is involved in the case but is not a party, or someone who has made an application in the absence of other parties

Examples

- Re Bond; ex parte Hong Kong Bank [1999] FCA 403
- Re Perkins; ex parte Westpac Banking Corporation [1999] FCA 826
- Ex parte Citicorp Australia Limited
- Ex parte Spencer and Others

<http://www.austlii.edu.au/> is an excellent reference to check the spelling, year and/or format of citations.

Some examples of common court and publication abbreviations

A Crim R	Australian Criminal Reports
AAR	Administrative Appeals Reports
AC	Appeal Cases
AD(JR) Act	Administrative Decisions (Judicial Review) Act
ALD	Administrative Law Decisions
ALJR	Australian Law Journal Reports
All ER	All England Reports
ALR	Australian Law Reports
ATC	Australian Tax Cases
Ch	Chancery
Ch D	Chancery Division
CLR	Commonwealth Law Reports
FamCA	Family Court of Australia
Fam LR	Family Law Reports
FamCAFC	Family Court of Australia Full Court
FCA	Federal Court of Australia
Federal Court Rules – no abbreviation	
FLC	Family Law Cases
FLR	Federal Law Reports
HCA	High Court of Australia
KB	Kings Bench
LJ EQ	Law Journal Equity
NSWLR	New South Wales Law Reports
QCA	Queensland Court of Appeal
Qd R	Queensland Reports
VLR	Victorian Law Reports
WASCA	Western Australian Supreme Court of Appeal
WLR	Weekly Law Reports
Note:	Halsbury's Laws of England

There are too many reports to list, but usually the acronym is used. Case references can be checked on the AustLII website or the Caselaw section of the Supreme Court Library of Queensland website or through Google.

1.9 Awards, Grades, Orders and Titles

Awards, grades, orders and titles are typed without spaces and without full stops. For example:

AO	ASO6	BEng	MBA	MBBA	MD	MP
OBE	PhD	KC	SC	NiMaLS (National Media Liaison Service)		

Mr P.E. Hack KC Justice Olney AM
 Mr J. Bond SC Deputy President C.R. Wright AM KC
 He has a Bachelor of Commerce and a Masters of Taxation.
 He is studying for a bachelor's degree and then a masters.

1.10 Callovers/Supervised Case Reviews

This entails multiple matters being typed in the same transcript. If ordered, type in the same style as Supreme Court/District Court criminal. For Magistrates Court callover matters use applicable margin entries for Magistrates Court. In order to show where one matter ends and the next begins use the following format.

Note that this format is used specifically for when a complete transcript of callover, supervised case review or mentions court is requested. Should a transcript of an individual matter within a callover be requested, transcribe as a stand-alone matter.

Come down two clear lines and enter the matter name in the left margin, in caps and bold. Leave two further clear lines and commence typing the hearing content.

MS WHITE: Thank you, your Honour.

MS GREEN: Thank you very much, your Honour.

HIS HONOUR: Any other custody matters that can be listed for trial or sentence.

MS GREEN: I do have other custody matters, a matter of Jones.

JONES (two carriage returns either side)

HIS HONOUR: Jones.

MS GREEN: Mr Jones is in custody and has been in custody for nine months now. He's number 16 on the presented list. He's also number 14 on the unpresented list.

HIS HONOUR: I've - - -

MS WHITE: Presently listed for a mention arraignment on the 15th.

HIS HONOUR: Yes, all right. I'll do that.

MS WHITE: Thank you, your Honour.

BROWN

HIS HONOUR: Mr Andrews, have you got something on the custody list that needs to be listed?

MR ANDREWS: I have, your Honour.

MR A. SMITH: Your Honour, I appear for the Crown. My name is Smith, initial A.

1.11 Computer Terms

analog ASCII barcode BASIC AustLII baud bit byte CD-ROM compact disc database debug disc e-banking e-commerce e-court email FAQ filename	firewire format formatting FORTRAN GIF gigahertz – GHz Google to google Gmail GUI hard copy hard disc hard drive hardware hertz HTML hyperlink information superhighway input internet – the Net	keyword kilobyte – KB to log on, logging on (verb) login/logon (nouns) mainframe MASS-PAR megahertz – MHz modem multimedia multitask nanotechnology narrowcasting netiquette offline online outsource PC	PDF PowerPoint program RAM real-time retransmit SIM card software telemedicine the Web web server website Windows Word Microsoft Word WordPerfect World Wide Web www.navy.gov.au
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A valuable source of information for computer terms can be found at: www.whatis.com

Useful website addresses

Case citations: <http://www.austlii.edu.au/>
Names: <http://www.familycourt.gov.au/>
<http://www.vicbar.com.au/>
<http://www.nswbar.asn.au/>
<http://www.qldbar.asn.au/>
<http://www.wabar.asn.au/>
<http://www.sabar.org.au/>
<http://www.tasmanianbar.com.au/>
<http://www.actbar.asn.au/>
<http://www.ntba.asn.au/>

<http://apps.courts.qld.gov.au/esearching/>

<http://www.lawsociety.com.au/community/findingalawyer/australianlegalpractitioners/index.htm>

Dictionaries: <http://www.macquariedictionary.com.au/>
<http://dictionary.law.com/>
<http://dictionary.reference.com/>

Addresses,
business names <http://www.whitepages.com.au/>
<http://www.whereis.com/>

[http://www.drugs.com/drug information.html](http://www.drugs.com/drug%20information.html)
A fairly comprehensive site listing all prescription drugs as well as
veterinary drugs.

<https://www.courts.qld.gov.au/> (Queensland Courts public portal)



<https://www.courts.qld.gov.au/courts> (page on public portal with links to each court type – list of judicial officers by seniority can be found on the relevant court page)

<https://www.qcat.qld.gov.au/> (QCAT public portal)

<https://www.qcat.qld.gov.au/resources/daily-proceeding-list> (QCAT daily listings via PDF and list of QCAT matter codes preceding a matter number)

<https://www.qirc.qld.gov.au/> (QIRC public portal)

<https://www.qirc.qld.gov.au/hearing-lists> (QIRC listings page)

1.12 Corrections to transcript

Transcript is not to be amended and reissued as a result of in-court comments/discussions of errors in previous transcripts.

Transcript should only be amended and reissued to correct errors identified by clients.

1.13 Court/Tribunal Officers

Associate – Court of Appeal, Supreme and District Courts, Land Court and Land Appeal Court

If no Bailiff is present (generally all civil jurisdiction courts), Associates call “All rise” at the commencement of court for the day and also at each adjournment and resumption of proceedings as well as calling witnesses, queueing playback of recordings and collecting evidence/material from counsel and presenting to the Judge.

Note: the calling of “All rise” is not transcribed.

Associates will generally arraign a defendant in all criminal proceedings, deliver the Allocutus in sentence proceedings and, within a criminal trial matter, swear in the Bailiff.

ASSOCIATE: John James Smith, you are charged with four counts of unlawful assault and five counts of breaking, entering and stealing. Are you guilty or not guilty?

DEFENDANT: Guilty.

Bailiff – Supreme and District Courts

If not engaged with returning/retiring a jury or with the jury in the jury room, Bailiffs are responsible for calling “All rise” at the commencement of court for the day and also at each adjournment and resumption of proceedings as well as calling witnesses, queueing playback of recordings and collecting evidence/material from counsel and presentation to the Associate. If the Bailiff is unavailable, the Associate will perform their court responsibilities.

Note: the calling of “All rise” is not transcribed.

Associates – Industrial Court of Queensland/QIRC

Associates call “All rise” at the commencement of proceedings for the day and also at each adjournment and resumption of proceedings as well as calling witnesses, queueing playback of recordings and collecting evidence/material from counsel for presentation to the presiding officer.

Note: the calling of “All rise” is not transcribed.



Court Services Officer – Magistrates Court

CSOs call “All rise” at the commencement of court for the day and also at each adjournment and resumption of proceedings as well as calling witnesses, queueing playback of recordings and collecting evidence/material from counsel and presenting to the Magistrate.

Note: the calling of “All rise” is not transcribed.

Should the CSO speak, margin designator is: COURT SERVICES OFFICER:

HIS HONOUR: All right. Thank you. And which courtroom - - -

COURT SERVICES OFFICER: Court 7.

HIS HONOUR: Court 7. Thank you.

Hearing Support Officer – QCAT

Responsible for calling “All rise” at the commencement of proceedings for the day and also at each adjournment and resumption of proceedings as well as calling witnesses, queueing playback of recordings and collecting evidence/material from counsel and presenting to the presiding officer.

Note: the calling of “All rise” is not transcribed.

Should the HSO speak, margin designator is: HEARING SUPPORT OFFICER

Coronial Support Officer – Coroners Court of Queensland

Responsible for calling “All rise” at the commencement of proceedings for the day and also at each adjournment and resumption of proceedings as well as calling witnesses, queueing playback of recordings and collecting evidence/material from counsel and presenting to the Coroner.

Note: the calling of “All rise” is not transcribed.

Should the CSO speak, margin designator is: CORONIAL SUPPORT OFFICER

1.14 Closed court proceedings

See 1.15 In-camera proceedings. *Except for evidence of complainant(s) in criminal trials where the complainant has been declared a special witness and the court is closed for the complainant to give evidence or a recording of their evidence is played, should an open Court matter in any jurisdiction be closed, a separate restricted closed court/in-camera transcript should be generated.*

1.15 In-camera proceedings

In-camera (closed court) proceedings are conducted where confidentiality is essential and/or to allow for a comfortable environment for complainants and/or special witnesses to give evidence.

Except per **Note:** below, all matters or portions of matters heard in closed court should be considered RESTRICTED and a RESTRICTED watermark is to be applied to all in-camera transcripts, whether the transcript is of a complete matter, or a portion of a matter. Should the transcript be revisable, both RESTRICTED and UNREVISED watermarks should be applied. (See 1.45 – Watermarks).

There is no requirement for a PROCEEDINGS IN CAMERA banner to show on the transcript cover page.

If a court is closed/opened during proceedings, ensure the appropriate annotations are applied to the recording. **Transcript of in-camera proceedings (except Note: below) must not be included within transcripts of open court proceedings: separate transcripts are always to be produced per transcript type on RTTs.**

For example:

Transcript request for SENTENCE SUBMISSIONS = Submissions heard in open court

Transcript request for S13 SENTENCE SUBMISSIONS = Submissions heard when court was closed

Note: *Should a complainant in a criminal trial matter be declared a special witness and the court is closed to allow the complainant to give evidence in comfortable surroundings or the court is closed during a criminal trial for the pre-recorded evidence of the child complainant(s) to be played, a separate transcript is not required for that portion of proceedings; nor is a RESTRICTED watermark or CLOSED COURT/PUBLIC SESSION banners applied to the transcript.*

Examples of In-camera proceedings within matters where separate RESTRICTED in-camera transcripts are generated and CLOSED COURT/PUBLIC SESSION banners are applied to transcripts:

- Evidence where the court is closed and specific restrictions may apply to the release of a transcript of the in-camera proceedings to parties (eg, Fielder Gillespie order covering commercial-in-confidence evidence in civil jurisdiction matters where a separate transcript of the in-camera portion of proceedings is produced).

- Sentencing events pursuant to *S13A/S13B penalties and Sentences Act 1992 and S16AC Crimes Act 1914 (Commonwealth)*, where in-camera submissions on sentence and sentencing occurs within the open court sentence proceedings. These are the most common events where a court is closed during open court proceedings.
- S13 or S16AC sentencing events will be listed as general sentence events. S13/S16AC proceedings are not announced in advance and there may be only very discrete references as to sealed submissions being handed up during initial portion of proceedings.

Monitors may receive very little indication that a S13/S16 sentencing event is happening until the court is closed.

- **S13A sentence** matters usually proceed as follows:
 - (Open court) SENTENCE SUBMISSIONS
 - (Open court) SENTENCE (with UNREVISED) watermark
 - (In-camera) SENTENCE (with RESTRICTED/UNREVISED) watermark
- **S13B sentence** matters usually proceed as follows:
 - (Open court) SENTENCE SUBMISSIONS
 - (In-camera) S13 SENTENCE SUBMISSIONS (with RESTRICTED watermark)
 - (In-camera) S13 SENTENCE (with RESTRICTED/UNREVISED watermark)
 - (Open Court) SENTENCE (with UNREVISED watermark)
- **S16AC sentence** matters (regarding federal offences which will result in a custodial penalty and almost always prosecuted by Commonwealth DPP) usually proceed as follows:
 - (Open court) SENTENCE SUBMISSIONS
 - (Open court) SENTENCE (with UNREVISED) watermark
 - (In-camera) SENTENCE (with RESTRICTED/UNREVISED) watermark



Open court submissions on sentence are transcribed in the SENTENCE SUBMISSIONS transcript. When the judicial officer directs that the court to be closed and the matter is to proceed in-camera, show in the transcript two clear lines below the text where the Judge directs the court to be closed:

CLOSED COURT SESSION ENSUED

[12.30 pm]

When the court is opened, show in the transcript two clear lines below the **CLOSED COURT SESSION ENSUED** banner:

PUBLIC SESSION RESUMED

[12.45 pm]

Note: While above banners would be mostly applied to s13/16 sentencing events, there may be other instances where the court is closed transcripts only where separate RESTRICTED transcripts of the in-camera portion of proceedings are generated.

Transcript 1: layout overview of OPEN COURT SENTENCE SUBMISSIONS transcript where the court is closed for in-camera submissions and sentencing and then opened for open court sentencing

(open court Sentence Submissions transcript).

HER HONOUR: Thank you, Mr Jones. Madam Bailiff, please close the court.

CLOSED COURT SESSION ENSUED

[11.08 am]

(see Transcript 2 example for in-camera sentence submissions transcript)

PUBLIC SESSION RESUMED

[11.35 am]

HIS HONOUR: Mr Jones, anything further?

MR JONES: No, thank you, your Honour.

HIS HONOUR: Mr Black, please stand.

TAKE IN SENTENCE

Transcript 2: layout overview of IN-CAMERA SENTENCE SUBMISSIONS followed by IN-CAMERA SENTENCE

Note: There is no requirement to show a **CLOSED COURT SESSION ENSUED** banner at commencement of the closed court submissions transcript as the transcript will speak for itself and the time the session commenced is shown on the cover page of the RESTRICTED transcript.

Note: There is no requirement to show a **PUBLIC SESSION RESUMED** banner after a **TAKE IN SENTENCE** banner in the in-camera submissions transcript.

BAILIFF: The court is closed, your Honour.

HER HONOUR: Thank you. Now, Mr Jones...

(closed court submissions continue)

HER HONOUR: Stand up, Mr Smith.

TAKE IN SENTENCE (a separate in-camera sentence transcript is produced)

Note: **PUBLIC SESSION RESUMED/CLOSED COURT SESSION ENSUED** banners should be applied to the in-camera transcript if the court is closed/opened several times during proceedings.

BAILIFF: The court is closed, your Honour.

HER HONOUR: Thank you. Now, Mr Jones...

(closed court submissions continue)

HER HONOUR: Madam Bailiff, please open the court..

PUBLIC SESSION RESUMED [11.35 am]

CLOSED COURT SESSION ENSUED [12.15 pm]

HER HONOUR: Now, Mr Jones...

(closed court submissions continue)

HER HONOUR: Thank you, Mr Jones. Mr Smith, stand up, please.

TAKE IN SENTENCE

1.16 Language other than English spoken

During proceedings, a speaker may revert to a non-English language to clarify or emphasise something. If this occurs, we do not attempt to type the non-English content. Show the non-English content with the entry (Response not in English) or (Question not in English), as appropriate.

Note: this wording is not used for interpreted evidence. The layout requirements for interpreted evidence are covered 2.8 – Interpreted Evidence.

MR SMITH: (Question not in English)

1.17 Made-up words

- If a word is mis-pronounced but the transcriber can identify what the word was meant to be (eg: “pacific” instead of “specific”):
 - Type it correctly
- If a made-up word is said:
 - Type the word as said
- If a non-word is said or a transcriber is not sure of the word spoken, per above, use:
 - [Indistinct]

1.18 Matter Interposed

If a hearing is interrupted by discussion about an unrelated matter, insert the banner **MATTER INTERPOSED** to reflect the change in proceedings and then resumption of the original matter.

In some informal tribunal sittings the judicial officer may elect to wait in the hearing room while information is obtained, for example, and during the waiting time discussion on unrelated topics may occur. In these instances, **MATTER INTERPOSED** banner would be inserted.

1.19 Multiple speakers sharing the same surname and title

If more than one speaker shares the same surname and title, take the first name initial for each affected speaker and use it in the margin each time they speak. This needs to be used **throughout** the transcript, regardless of when the second or subsequent shared surname speaker speaks.

MR A. SMITH: I would be happy to clarify that point, your Honour, if my learned friend doesn't mind.

MR J. SMITH: I had finished anyway, your Honour.

MR A. SMITH: How fortuitous. Thank you.

DEFENDANT JONES: *(for multiple defendants)*

DEFENDANT J. JONES: *(for multiple defendants with same surname)*

RESPONDENT JONES: *(for multiple respondents)*

RESPONDENT J. JONES: *(for multiple respondents with same surname)*

1.20 Material Struck Out/Not To Be Transcribed

When a court or tribunal directs any remarks to be struck from the record or indicates that a section of proceedings is not to be transcribed, the following banner is to be used for the relevant portion of transcript:

**SECTION OF PROCEEDINGS RECORDED BUT NOT TRANSCRIBED AT THE
DIRECTION OF HIS HONOUR**

**SECTION OF PROCEEDINGS RECORDED BUT NOT TRANSCRIBED AT THE
DIRECTION OF THE COMMISSIONER**

When a speaker says something and then says, "I withdraw that," do **not** remove the words already said:

MR JONES: Witness, when Mr Smith came to see you on the 17th, he was in possession of – sorry, I withdraw that. When Mr Smith came to see you on the 17th, did he have that document?

1.21 Nolle prosequi

During the course of sentencing proceedings (generally at the commencement of the matter) or a criminal trial, the Crown Prosecutor may elect not to proceed further with the indictment (or specific charge/s on the indictment) before the court and may either request return of the existing indictment for amendment (removal or amendment of charges) or replacement with a new indictment.

This portion of proceedings is referred to as a nolle (pronounced “nolly”) prosequi.

If charges are withdrawn, the matter concludes and the defendant is discharged.

If the indictment is amended or replaced, Judge will proceed with the nolle prosequi by confirming the defence agrees with the amended indictment and then usually states: “Order as per draft”.

Nolle proceedings appear verbatim in the transcript.

In the unusual event a Nolle Prosequi transcript is required, the order portion is extracted from the main transcript and generated as a separate revisable transcript with the banner **NOLLE PROSEQUI** on the cover page and the banner **TAKE IN ORDER** inserted into the main transcript.

1.22 Not to be recorded

If a judicial officer indicates that a portion of proceedings is not to be recorded, use the RECORDING CEASED AT THE DIRECTION OF banner. Some examples follow:

RECORDING CEASED AT THE DIRECTION OF HIS HONOUR [12.23 pm]

RECORDING CEASED AT THE DIRECTION OF THE COMMISSIONER [12.23 pm]

Should recording then resume later in the matter, use the RECORDING RESUMED AT THE DIRECTION OF banner. Some examples follow:

RECORDING RESUMED AT THE DIRECTION OF HER HONOUR [13:40 pm]

RECORDING RESUMED AT THE DIRECTION OF COMMISSIONER [13.40 pm]

Note: Above banners would rarely apply to general criminal/civil jurisdiction transcripts but recordings are routinely stopped/started when QIRC conference matters go off/on the record or during confidential proceedings in QIRC hearings.

1.23 Not to be recorded and matter adjourned without resuming

Select the most applicable wording below and enter two clear lines after RECORDING CEASED banner (include the time if known). Examples of banners to be used:

THE CONFERENCE ADJOURNED WITHOUT RESUMING RECORDING [4.55 pm]

THE HEARING ADJOURNED WITHOUT RESUMING RECORDING [4.55 pm]

Note: Above examples apply to QIRC matters when (especially during Conference matters) recordings are routinely turned off to commence confidential in-camera discussions and where the matter does not resume after the recording has been turned off.

In the extremely unlikely event where the recording of a general criminal/civil jurisdiction matter was turned off at the direction of the Presiding officer and the matter did not resume, apply the following banner:

THE MATTER ADJOURNED WITHOUT RESUMING RECORDING [4.55pm]

1.24 Person called for identification

If a person is called for identification, no banner is required. The transcript will speak for itself.

Did you examine a girl on that day in connection with this matter?---Yes.

I call Mary Smith for identification. Is that the girl you examined?---Yes.

What did your examination reveal?---She was a person of slight build.

1.25 Playing back proceedings in court

Should playback of audio of proceedings initiated by Associate or in-court officer occur while a matter is on foot, the transcript should show in bold and capital letters on the margin, with two line spaces above and below:

PLAYBACK

Note: This banner is not to be applied when audio or video of evidence (eg, pre-recorded evidence) is played. See 3.4 Audio/Video/CD/DVD/Exhibit Played

1.26 Recorder appointed

Principally found in Magistrates Court matters, this event occurs when the audio is not recorded by a TSP. Usually at the beginning of a matter the magistrate may make a comment along the lines of “Jane Smith appointed as recorder to record this matter under the Recording of Evidence Act 2003.” This administrative step is typed verbatim if it occurs. There is no banner entry for this.

1.27 Revisable Transcripts

No content is to be omitted from revisable transcript, except inclusion of ellipsis to show costs discussion in a Judgment.

A footer (right hand flush) will show the type of revisable transcript:

- SENTENCE
- JUDGMENT
- ORDER
- RULING
- SUMMING-UP/REDIRECTIONS
- REASONS FOR FINDINGS (Mental Health Court only)
- FINDINGS (Coroners Court of Queensland only)
- DECISION (for QCAT and QIRC only)

For example:

(text of transcript)		
(blank)	1-4	SENTENCE

Note: There may be instances where portions of revisable transcripts that have been excised during revision should be inserted into the general matter transcript. DJAG will confirm if this is necessary post revision.

Note: See also 1.45 – Watermarks and 1.42 – Verbatim Transcript

1.28 Rulings on law

Incorporated as part of a transcript.

Only transcribe as a separate transcript if requested.

If rulings on law are transcribed separately:

Extract the Ruling portion from the original main transcript and generate as a separate, revisable transcript. Update the original main transcript to show below banner where the ruling occurred in the transcript. Enter (two clear lines either side):

TAKE IN RULING

1.29 Transcript Cover Pages – Spacing

A cover page is inserted at the commencement of all transcripts.

The Queensland Courts Coat of Arms is centred at the top of the page. Following is a JPEG of the Crown. The Crown must show as 20mm high on transcript cover pages



QUEENSLAND COURTS AND TRIBUNALS and
TRANSCRIPT OF PROCEEDINGS banners are Times New Roman 14 and bold

The following copyright disclaimer is to be inserted immediately under the transcript of proceedings banner in Times New Roman 10:

© The State of Queensland (Department of Justice and Attorney-General). Apart from any use permitted under the Copyright Act 1968 (Cth), all other rights are reserved. Providing a copy to a legal practitioner for the purpose of obtaining professional advice is considered fair use under section 43(2) of the Copyright Act 1968 (Cth) and does not require copyright release. For all other uses, you must not copy, modify or distribute this material without the written authority of the Director, Recording and Transcription Services, Queensland Courts.

The various banners/information fields on the transcript cover page underneath the copyright disclaimer are **TIMES NEW ROMAN 12** and **bold**.

The following disclaimer is to be inserted at a minimum of two carriage returns underneath the location banner in Times New Roman 10:

Any rulings in this transcript may be extracted and revised by the presiding Judge.

WARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

Cover page information is obtained directly from the *Transcript Service Task* including the *Court Listing* tab*.

Note: Certain transcripts (eg, Mental Health Court matters) will require additional information sourced from documentation provided by Associates within QTranscripts to complete cover pages.

Following is an example transcript cover page template showing optimal line spacing between fields.

QUEENSLAND COURTS AND TRIBUNALS
TRANSCRIPT OF PROCEEDINGS

© The State of Queensland (Department of Justice and Attorney-General).^{*} Apart from any use permitted under the *Copyright Act 1968* (Cth), all other rights are reserved.^{*} You must not copy, modify or distribute this material without the written authority of the Director, Recording and Transcription Services, Queensland Courts.

¶

COURT NAME ¶

¶

JURISDICTION ¶

If no Jurisdiction, leave blank ¶

¶

JUDICIAL OFFICER ¶

¶

Matter Number ¶

If no matter number, leave blank ¶

¶

APPLICANT/COMPLAINANT NAME → → → → Applicant ¶

¶

v. ¶

RESPONDENT/DEFENDANT NAME → → → → Defendant ¶

¶

¶

LOCATION ¶

¶

TIME/DATE ¶

¶

Continued from DD.MM.YY ¶

If Day 1, leave blank ¶

¶

DAY NUMBER ¶

¶

TRANSCRIPT TYPE ¶

If Transcript type not required, leave blank ¶

¶

¶

Any rulings in this transcript may be extracted and revised by the presiding Judge. ¶

WARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings. Section Break (Continuous)

¶

→ → 1-1 → ¶

¶

1.30 Transcript Cover Pages – Court Name

The following court names may apply to a cover page:

- COURT OF APPEAL
- SUPREME COURT OF QUEENSLAND
- MENTAL HEALTH COURT
- DISTRICT COURT OF QUEENSLAND
- PLANNING AND ENVIRONMENT COURT
- CHILDRENS COURT OF QUEENSLAND (Judge Presiding)
- MAGISTRATES COURT
- CHILDRENS COURT (Magistrate Presiding)
- INDUSTRIAL MAGISTRATES COURT
- CORONERS COURT OF QUEENSLAND
- LAND COURT OF QUEENSLAND
- LAND APPEAL COURT
- QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL
- QUEENSLAND INDUSTRIAL RELATIONS COMMISSION
- INDUSTRIAL COURT OF QUEENSLAND

1.31 Transcript Cover Pages – Jurisdiction

A Jurisdiction banner is applied to cover pages for the following courts **only**:

- Supreme and District Court Criminal matters (but not Childrens Court)
 - CRIMINAL JURISDICTION
- Supreme and District Court Civil matters (but not Planning & Environment Court)
 - CIVIL JURISDICTION
- S222 appeal matters heard in District Court
 - APPELLATE JURISDICTION

A Jurisdiction type does not need to show on any other transcript cover pages.

1.32 Transcript Cover Pages – Matter Number

This field is completed for all jurisdictions where a matter number has been provided. If no matter number is available on the Transcript Service Task, please leave blank on the cover page. There are different styles for courts and jurisdictions:

Jurisdiction	Format
Court of Appeal	CA No XX of YYYY
SC & DC Civil Jurisdiction	No XX of YYYY
SC & DC Criminal Jurisdiction	Indictment No XX of YYYY
SC/DC Bail Application & Order	No XX of YYYY
DC Appellate Jurisdiction (S222 appeal)	Appeal No XX of YYYY
P&E Hearings	P & E No XX of YYYY
CCJ	Indictment No XX of YYYY
CCM	CCM-XXXXXXXX/YY(X)
Mag Court CR (including DVA)	MAG-XXXXXXXX/YY(X)
Mag Court CV – PubExam & Enforcement	XX of YYYY
Coroners Court	COR-XXX/YYYY
Coroners Court – Findings	No XX of YYYY
Land Court	AAAXXX-YY
Land Appeal Court	LACXXX-YY
QIRC/Industrial Court	No AAA/YYYY/XXX
QCAT	No AAA XX of YYYY or Matter Number on TST
MHC	Court Proceeding No XX of YYYY

Note: “X” refers to the matter number; “YYYY” to a four-digit year and “YY” to a two-digit year.

Examples of Matter Numbers on TSTs and the correct format for a cover page:

Type of Court	Info on TST	Correct Format
COA	13221/19	CA No 13221 of 2019
SC/DC CR & CCJ	DIS-INNI9/21	Indictment No 9 of 2021
SC/DC CV	DIS-BRISB4101/19	No 4101 of 2019
P&E	DIS-BRISB3387/16	P & E No 3387 of 2016
Land Court	MRA015-19	MRA015-19
CCM	CCM-00007145/20(3)	CCM-00007145/20(3)
MAG CR (including DVA)	MAG-00092467/19(2)	MAG-00092467/19(2)
MAC CV	0000833/20	833 of 2020
QCAT	00001351/20	No 1351 of 2020
QCAT	G12345	G12345
QCAT	BLD123-20	No BLD 123 of 2020
QIRC and Industrial Court	AD/2021/13	No AD/2021/13
Mental Health Court		See 5.11 – Mental Health Court



Note: Should there be multiple matter numbers showing on a TST, list in order on the cover page, per:

MAGISTRATES COURT

MacCALLUM, Magistrate

MAG-00258178/18(2)

MAG-00099125/19(3)

MAG-00148204/20(3)

MAG-00143514/20(4)

THE CROWN

Complainant

and

JIM SMITH

Defendant

IPSWICH

9.11 AM, FRIDAY, 21 AUGUST 2020

DAY 1

1.33 Transcript Cover Pages – Matter Name

Note: The type of party should be entered at ruler number 12 right on the same line as the relevant party name on transcript cover pages.

The general layout for matter names is for the parties to show on separate lines.

Note: For COA Criminal Appeal matters, Supreme and District Court criminal matters and Childrens Court (Judge) jurisdiction matters with a *hearing date prior to 9 September 2022*, ensure the transcript cover page shows “THE QUEEN”.

For aforementioned matters with a *hearing date from 9 September 2022*, transcript cover pages should show “THE KING”.

For example:

JOHN SMITH

Plaintiff

and

JIM BROWN PTY LTD

Defendant

Or

THE KING

v.

JOHN SMITH

Defendant

Use of “and” or “v”

The “v.” is applied between party names for matters in the Criminal Jurisdiction of the Supreme and District Courts, the Childrens Court of Queensland and is also applied between parties on transcripts of QCAT matters heard before a Judge.

“and” is applied between party names for all other courts and jurisdictions.

The party names will be found in the *Matter Title* information on the TST.

Use of "Plaintiff", "Respondent", "Appellant" etcetera

Court	Division	Cover page party status		
COA	Criminal Appeal	The King	v.	Appellant (see comment p52)
COA	Civil Appeal	Appellant	and	Respondent
SC, DC	Criminal	The King	v.	Defendant (see comment p52)
SC, DC, PE	Civil	Applicant	and	Respondent
		Plaintiff	and	Defendant
DC	Appellate	Appellant	and	Respondent
CCJ	Criminal	The King	v.	Defendant (see comment p52)
Land Appeal Court	Appellate	Appellant	and	Respondent
Land Court	Civil	Applicant	and	Respondent
		Plaintiff	and	Defendant
QCAT	Before a Judge	Applicant	v.	Respondent
	Before all other	Applicant	and	Respondent
Mental Health Court	Other	Appellant	and	Respondent
MAG	Criminal	Complainant	and	Defendant
	Civil	Plaintiff	and	Defendant
	DVA	Aggrieved	and	Respondent
	Enforcement Hearing	Enforcement Creditor	and	Enforcement Debtor

Format for multiple defendants

Note: For defendants being heard together, please show all names, per:

THE KING

v.

JOHN SMITH

JAMES SMITH

JOHN BROWN

Defendants



Format for cover pages when multiple matters are heard concurrently

Should multiple, separate matters be heard together, the relevant file number/party names should show separately on the cover page, per:

DISTRICT COURT OF QUEENSLAND

CIVIL JURISDICTION

No 23 of 2019

JIM JONES

Applicant

and

PETER SMITH PTY LTD

Respondent

No 454 of 2019

JOHN SMITH

Applicant

and

PETER SMITH PTY LTD

Respondent

No 37 of 2020

PETER SMITH PTY LTD

Applicant

and

JOHN SMITH

Respondent

and

XYZ Insurance Inc

Respondent-by-Election

BRISBANE

etcetera

Note: Sometimes transcript cover page information continues to a second page. Should this happen, please ensure file number/party information is complete and there are no page breaks within.

Examples of Matter Names in a paragraph

Matter titles on cover pages can also show as a paragraphs for bail and child protection matters, ceremonial sittings, public examinations, Coronial Inquests, Adult Guardianship matters in QCAT and matters in Mental Health Court. The paragraphs will usually start with the words “IN THE MATTER OF...”.

For example:

Bail Applications

**IN THE MATTER OF AN APPLICATION
FOR BAIL BY JOHN SMITH**

Child Protection matters

**APPLICATION FOR CHILD PROTECTION ORDER BY THE DIRECTOR
Of CHILD PROTECTION LITIGATION**

RE: CHILD PROTECTION ORDER FOR JOHN SMITH

Coronial Inquests and Findings

**IN THE MATTER OF AN INQUEST INTO THE CAUSE AND CIRCUMSTANCES
SURROUNDING THE DEATH OF JOHN SMITH**

Public Examination matters in Magistrates Court

IN THE MATTER OF THE CORPORATIONS LAW

IN THE MATTER OF (MATTER NAME)

IN THE MATTER OF THE PUBLIC EXAMINATION OF (NAME OF WITNESS)

Adult Guardianship matters in QCAT

IN THE MATTER OF JOHN SMITH

PAUL SMITH and MARY SMITH

Applicants

See also: Foreign Courts - Evidence and Mental Health Court for other paragraphed cover pages

1.34 Transcript Cover Pages – Date and Day Number

All transcript cover pages will show the time the matter/transcript commenced two returns below the location and the day number of the matter two returns below the Time/Date banner, per:

BRISBANE

11.32 AM, MONDAY, 30 NOVEMBER 2020

DAY 1

For transcript of “running” matters (eg, a Criminal Trial event heard over consecutive days), the Day Number banner on cover pages will change to reflect the relevant day number of the event.

Note: Unless a “running” matter, all transcripts including revisable transcripts should show default DAY 1 on the cover page

1.35 Transcript Cover Pages – Transcript Type

Should a transcript type also be required on the cover page, that banner will show underneath the Day Number banner, per:

BRISBANE

11.32 AM, MONDAY, 30 NOVEMBER 2020

DAY 1

SENTENCE

Relevant Transcript Types:

- **PRE-TRIAL HEARING**
- **PRE-RECORDED EVIDENCE**
- **VERDICT**
- **SUMMING-UP/REDIRECTIONS**
- **SENTENCE**
- **JUDGMENT**
- **ORDER**
- **RULING**
- **REASONS FOR FINDING** (Mental Health Court only)
- **DECISION**
- **FINDINGS** (Coroners Court only)
- **QIRC** – per Event type on RTT

Note: See *Childrens Court of Queensland* for transcript types to apply to Sentence Review submissions and order transcripts.

Note: For Domestic and Family Violence Application transcripts a **DOMESTIC VIOLENCE APPLICATION** banner will show in place of the transcript type banner (if the Hearing transcript) or two returns under the **DECISION** banner, as applicable, per

MAGISTRATES COURT
 MAGISTRATE SURNAME, Magistrate
 MAG-XXXXXXXX/XX(X)
 AGGRIEVED NAME → Aggrieved
 and
 RESPONDENT NAME → Respondent
 BRISBANE
 12.35 PM, WEDNESDAY, 4 MARCH 2020
 DAY 1
 DECISION
 DOMESTIC VIOLENCE APPLICATION

Note: For Extracts or other special types of transcript (eg, Closing Addresses), do not place a Transcript Type banner on the cover page.

1.36 Transcript Day and Page Number Footers

A Day and Page number footer is to be applied to all pages of a transcript, commencing on the cover page. Footers are to be centred.

Format for Day/Page Number footers is: Day Number-Page Number

Examples:

Page 37 of day 1 transcript will show as: 1-37

Page 2 of day 3 transcript will show as: 3-2

1.37 Transcript Cover Page/Headers/Margin Designator – Judicial/Presiding Officers

COURT OF APPEAL

<u>Cover Page</u>	<u>Header</u>	<u>Margin Designator</u>
MULLINS P	Mullins P	THE PRESIDENT
(SURNAME) JA	(Surname) JA	(SURNAME) JA

Note: See Court of Appeal and 1.38 Transcript Headers

SUPREME COURT OF QUEENSLAND including MENTAL HEALTH COURT

<u>Cover Page</u>	<u>Header</u>	<u>Margin Designator</u>
BOWSKILL CJ	Bowskill CJ	THE CHIEF JUSTICE
A LYONS SJA	A Lyons SJA	HER HONOUR
(SURNAME) J	(Surname) J	HIS/HER HONOUR
(SURNAME) A/J*	(Surname) A/J*	HIS/HER HONOUR

Note: Always current list of Judges of the Supreme Court of Queensland showing date of appointment which is used to determine seniority, following the Chief Justice, who is always the most senior judge, regardless of appointment date.

- **Note:** Those judges listed as *Judge of Appeal* will generally hear matters in COA only. See Court of Appeal styles.
- **Note:** Should a Supreme Court *Judge of the Trial Division* only (including the Chief Justice) sit in COA, follow above styles, not the COA styles

Note: * only if a (generally, District Court) judge is acting temporarily as a Supreme Court judge.

Note: See 1.38 Transcript Headers



**DISTRICT COURT OF QUEENSLAND including PLANNING AND ENVIRONMENT COURT
and CHILDRENS COURT OF QUEENSLAND**

<u>Cover Page</u>	<u>Header</u>	<u>Margin Designator</u>
DEVEREAUX CJDC	Devereaux CJDC	THE CHIEF JUDGE
JUDGE (SURNAME) KC/SC*	(Surname) DCJ	HIS/HER HONOUR
JUDGE R.S. JONES**	R Jones DCJ	HIS HONOUR

CHILDRENS COURT OF QUEENSLAND – JUDGE RICHARDS ONLY

<u>Cover Page</u>	<u>Header</u>	<u>Margin Designator</u>
JUDGE RICHARDS, President	Richards P	THE PRESIDENT

Note: Always current list of Judges of the District Court of Queensland showing date of appointment which is used to determine seniority, however, the Chief Judge is always the most senior judge, regardless of appointment date.

Note: * KC or SC *only* as applicable (see above current Judge list)

Note: ** For Judge Jones only

Note: See 1.38 Transcript Headers and Childrens Court of Queensland



LAND COURT/LAND APPEAL COURT

<u>Cover Page</u>	<u>Header</u>	<u>Margin Designator</u>
F Y KINGHAM (PRESIDENT)	Kingham, President	KINGHAM P
P G STILGOE OAM (ACTING PRESIDENT)	Stilgoe OAM, Acting President	STILGOE AP
W A ISDALE (MEMBER)	Isdale, Member	ISDALE M
P G STILGOE OAM (MEMBER)	Stilgoe OAM, Member	STILGOE M
J R MCNAMARA (MEMBER)	McNamara, Member	MCNAMARA M
G J Smith (JUDICIAL REGISTRAR)	Smith, Judicial Registrar	SMITH JR

Note: [Always current list of Land Court Membership](#)

Note: See 1.38 Transcript Headers and Land Court/Land Appeal Court

Note: The Members above might also hear QCAT matters as Seasonal Members. Please follow QCAT F&S in those instances.



MAGISTRATES COURT including CHILDRENS COURT

<u>Cover Page</u>	<u>Header</u>	<u>Margin Designator</u>
(SURNAME), Chief Magistrate	(Surname), Chief Magistrate	HIS/HER HONOUR
(SURNAME), Deputy Chief Magistrate	(Surname), DCM	HIS/HER HONOUR
(SURNAME), Magistrate	(Surname), Magistrate	HIS/HER HONOUR
(SURNAME), Judicial Registrar	(Surname), Judicial Registrar	(SURNAME) JR
(SURNAME), Registrar	(Surname), Registrar	REGISTRAR
(SURNAME), JP	(Surname), JP	(SURNAME) JP

Note: See 1.38 Transcript Headers and Magistrates Court

Note: [Always current list of Queensland Magistrates](#)

CORONERS COURT OF QUEENSLAND

<u>Cover Page</u>	<u>Header</u>	<u>Margin Designator</u>
(SURNAME), State Coroner	(Surname), State Coroner	STATE CORONER
(SURNAME), Deputy State Coroner	(Surname), Deputy State Coroner	DEPUTY STATE CORONER
(SURNAME), Coroner	(Surname), Coroner	CORONER

Note: See 1.38 Transcript Headers and Coroners Court of Queensland



QUEENSLAND INDUSTRIAL RELATIONS COMMISSION and INDUSTRIAL COURT OF QUEENSLAND

<u>Cover Page</u>	<u>Header</u>	<u>Margin Designator</u>
(SURNAME) P	(Surname) P	HIS/HER HONOUR
(SURNAME) VP	(Surname) VP	HIS/HER HONOUR
(SURNAME) DP	(Surname) DP	HIS/HER HONOUR
(SURNAME) C	(Surname) C	COMMISSIONER*
		MR/MS (SURNAME)

Note: See 1.38 Transcript Headers, QIRC and Industrial Court of Queensland; also page 222 for QIRC Full Bench margin designators and page 226 for ICQ Full Bench margin designators



QCAT

<u>Cover Page</u>	<u>Header</u>	<u>Margin Designator</u>
(SURNAME), President	(Surname) P	THE PRESIDENT
(SURNAME), Deputy President	(Surname) DP	DEPUTY PRESIDENT
(SURNAME), Senior Member	(Surname), Senior Member	SENIOR MEMBER
(SURNAME), Member	(Surname), Member	MEMBER
(SURNAME), Adjudicator	(Surname), Adjudicator	ADJUDICATOR (SURNAME)
(SURNAME) JP	(Surname) JP	(SURNAME) JP

Note: For QCAT matters heard in District Court, follow that style

Note: For QCAT matters heard in Magistrates Court, follow that style

Note: See 1.38 Transcript Headers and QCAT

1.38 Transcript Headers

Other than the cover page(s), a header is to be applied to all transcript pages showing:

- Date of matter
- Location and Courtroom
- Presiding Officer (as applicable)

Format for transcript header pages: DDMMYYYY/Location Code+CourtNumber/Presiding Officer

Note: Presiding Officer format is generally SURNAME + TITLE (ether in full or abbreviated), see examples below

Court of Appeal

When only one presiding officer:

- 17122020/BSD3/Mullins P (for the President only)
- 17122020/BSD3/Bond JA (for other Justices of Appeal)

If multiple Judges are hearing a COA matter, no Presiding Officer appears in the header, per:

- 17122020/BSD3

Supreme Court (including Mental Health Court)

- 17122020/TSV3/Bowskill CJ (should the Chief Justice be presiding)
- 17122020/CNS4/North J (for all Justices)

District Court (including Planning & Environment Court) and Childrens Court of Queensland

- 17122020/ROK4/Devereaux CJDC (should the Chief Judge be presiding)
- 17122020/SPT5/Rafter DCJ (for all Judges including Chief Magistrate when CM is hearing District Court matters)

Note: Should Judge Richards (as President) be hearing Childrens Court matters, header for those transcripts will be:

- 17122020/BSD18/Richards P

Magistrates Court (including Childrens Court, Murri Court, Domestic Violence Court)

- 17122020/BMC15/Gardiner, Chief Magistrate
- 17122020/TWB2/O'Shea, DCM
- 17122020/BAC1/Smith, Magistrate
- 17122020/RCH1/Smith, Judicial Registrar
- 17122020/TUL1/Smith, Registrar

Coroners Court

- 17122020/BMC18/Ryan, State Coroner
- 17122020/BMC15/Bentley, Deputy State Coroner
- 17122020/BMC19/Clements, Coroner

Land Appeal Court

Regardless of whether the matter is heard before a Judge or a Full Bench, show only presiding Judge in header eg:

- 17122020/BSD15/Boddice J (LAC matters are always heard by a Justice of the Supreme Court)

Land Court

- 17122020/BMC18/Kingham, President (should President Kingham hear the matter)
- 17122020/BMC18/Stilgoe OAM, Acting President (should Acting President Stilgoe hear the matter)
- 17122020/BMC18/Isdale, Member (should a Member hear the matter)
- 17122020/BMC18/Stilgoe OAM, Member (should Member Stilgoe hear the matter)
- 17122020/BMC18/Smith, Judicial Registrar (should a Judicial Registrar hear the matter)

QCAT

- 17122020/CAT21/Mellifont P (should Justice Mellifont, as President of QCAT, hear the matter)
- 17122020/CAT22/Dann DP (should Judge Dann, as Deputy President of QCAT, hear the matter)
- 17122020/CAT21/Oliver, Senior Member
- 17122020/CAT22/Smith, Member
- 17122020/CAT21/Smith, Adjudicator
- 17122020/TSV5/Smith, Judicial Registrar
- 17122020/CAT22/Smith, Justice of the Peace
- 17122020/CAB3/Smith, Magistrate (QCAT matters heard before a Magistrate)

Industrial Court and QIRC

- 17122020/IRC1/Davis P (should President Davis hear the matter)
- 17122020/IRC1/O'Connor VP (should Vice President O'Connor hear the matter)
- 17122020/IRC1/Merrill DP (should Deputy President Merrill hear the matter)
- 17122020/IRC1/Smith C (should a Commissioner hear the matter)

Note: If multiple presiding officers are hearing an Industrial Court matter, no Presiding Officer appears in the header, per:

- 17122020/IRC1

1.39 Change to transcript header to reflect a change in courtroom

Should a change of courtroom be necessary while a proceeding is on foot, the Judge will generally adjourn the matter in the original courtroom and then eventually resume the matter in a different courtroom.

The transcript will show an ADJOURNED banner with original courtroom number in the header on that page.

When the matter resumes in the new courtroom, the transcript should continue on a new page commencing with RESUMED banner and updated header showing new courtroom number.

1.40 Header Codes – Court Locations

Location	Code
Alpha	ALP
Atherton	ATH
Aurukun	AUR
Ayr	AYR
Badu Island	BAI
Bamaga	BAM
Barcaldine	BAR
Brisbane Arrest Courts	BAC
Beaudesert	BEA
Beenleigh	BEE
Biloela	BIL
Birdsville	BDV
Blackall	BKL
Blackwater	BLT
Brisbane Magistrates Courts	BMC
Boigu Island	BOI
Boulia	BOU
Bowen	BOW
QEll Courts of Law	BSD
Bundaberg	BUN
Burketown	BUR
Caboolture	CAB
Cairns	CNS
Caloundra	CAL

Location	Code
Camooweal	CAM
Brisbane QCAT	CAT
Cherbourg	CBG
Charleville	CHA
Childers	CHI
Chinchilla	CHN
Coen	COE
Cooktown	CKT
Clermont	CLE
Cloncurry	CLO
Cleveland	CLV
Coolangatta	COO
Charters Towers	CTW
Cunnamulla	CUN
Dalby	DAL
Dajarra	DAJ
Darnley Island	DAR
Doomadgee	DOO
Duaringa	DUR
Emerald	EMR
Gatton	GAT
Gayndah	GND
Georgetown	GEO
Gladstone	GLA
Goondiwindi	GOO
Gympie District Court	GYM

Location	Code
Gympie Magistrates Court	GYM
Holland Park	HPK
Hervey Bay	HRV
Hope Vale	HOP
Hughenden	HUG
Ingham	ING
Inglewood	IWD
Innisfail	INN
Ipswich	IPS
Industrial Relations Commission	IRC
Julia Creek	JUL
Kingaroy	KIN
Kowanyama	KOW
Lockhart River	LOC
Longreach	LON
Mabuiag Island	MBI
Mareeba	MAR
Maryborough	MBH
Maroochydore	MCY
Mer Island	MRI
Moa Island	MOI
Mount Garnett	MGA
Mount Isa	MIS
Mackay	MKY
Millmerran	MIL
Mitchell	MIT

Location	Code
Moranbah	MOR
Mornington Island	MNI
Mossman	MOS
Murgon	MUR
Nambour	NAM
Nanango	NAN
Noosa	NOO
Normanton	NOR
Oakey	OAK
Palm Island	PAL
Pine Rivers	PIN
Pittsworth	PIT
Proserpine	PRO
Pormpuraaw	POM
Poruma Island	PRI
Quilpie	QUI
Ravenshoe	RAV
Richlands	RCH
Richmond	RMD
Redcliffe	RED
Rockhampton	ROK
Roma	ROM
Sabai Island	SAB
Sarina	SAR
Sandgate	SAN
St George	SGO

Location	Code
Southport	SPT
Springsure	SPI
Stanthorpe	STA
Tambo	TAM
Taroom	TAR
Thursday Island	TIL
Tully	TLY
Townsville Supreme & District Courts	TSV
Townsville Magistrates Court	TSV
Toogoolawah	TOG
Toowoomba	TWB
Warraber Island	WBI
Warwick	WAR
Weipa	WPA
Winton	WIN
Woorabinda	WOO
Wujal Wujal	WUJ
Wynnum	WYN
Yam Island	YAM
Yarrabah	YAR
Yeppoon	YEP
Yorke Island	YOR

1.41 Unidentified Speaker

If a person whose voice cannot be recognised speaks, show in margin:

UNIDENTIFIED SPEAKER:

Do **not** designate Mr/Ms/Male/Female. Once a speaker has been identified, use their designation *from that point onwards*. Do **not** return to earlier portions of the transcript to amend any unidentified speaker entries.

1.42 Verbatim transcript

DJAG clients require a verbatim transcript.

This includes typing contractions as they are said. All contractions are acceptable except for the double contractions such as “wouldn’t’ve”, “couldn’t’ve”, “shouldn’t’ve”.

Sounds such as “ah”, “um”, “er” are not transcribed. “oh” can be transcribed but should be used sparingly for all speakers.

Note that “what’s” as in “what does” is an acceptable contraction.

Verbatim – Revisable Transcripts

Include all false starts, repetitions and changes of thought by all speakers that occur during revisable transcript.

Judicial officers should be typed as saying “yes” and “no”, not “yeah”, “nope”, “nuh” and contractions should be transcribed in full unless it would transcribe as an absurdity.

For example, the following statement contains an absurdity:

“Sometimes, when we get a fright, we jump like that, *do not* we?”

Although contractions in revisable transcript should be spelled out in full, the correct format in this instance would be:

“Sometimes, when we get a fright, we jump like that, don’t we?”

Verbatim – Tidying Up non-revisable transcript

Judicial officers should be typed as saying “yes” and “no”, not “yeah”, “nope”, “nuh”. For all other speakers, type as said.

The following informal contractions should be transcribed in full for all speakers:

gonna	going to
wanna	want to
gotta	got to
hadda	had to
dunno	don't know
woulda	would have
shoulda	should have
coz/'cause	because
Verb forms ending in “ing” said as (for example): talkin', thinkin', fishin', shootin'	Transcribe in full (for example): talking, thinking, fishing, shooting
“would of”, “could of” and “should of”, while grammatically incorrect, should be transcribed verbatim and not tidied up to “would have”, “could have” or “should have”	

Minor tidying up of counsel and the judicial officer is accepted where the sound “mmm/mmm-hmmm”, stumbles, stuttering or repetitive starts **of identical words** occur, but never evidence of a witness. Part words spoken by a witness are to be transcribed.

Some examples of minor tidying up by a judicial officer or counsel:

What was said	HIS HONOUR: The – the evidence so far.
Tidied to	HIS HONOUR: The evidence so far.
What was said	MR BROWN: If I can hand to - up to your Honour
Tidied to	Stumble/repetition was not identical words and sentence should not be tidied up.
What was said	DEPUTY PRESIDENT: Were you going to take me – take me through the document?
Tidied to	DEPUTY PRESIDENT: Were you going to take me through the document.
What was said	MR SMITH: Your Honour, if I – I – I – I could hand that up.
Tidied to	MR SMITH: Your Honour, if I could hand that up.
What was said	Question?---He shou – shouted – screamed at the chil – kids.
Tidied to	Witness part words are to be transcribed

See also 1.17 – Made-Up Words, 3.18 – Non-Words and Youse/Yous

1.43 [sic]

[sic] is not to be used under any circumstances in DJAG transcripts.

1.44 Word List

For uniformity, the words below are to be typed in transcript as shown. Initial capitals are indicated where appropriate. If in doubt about words not listed, use the Macquarie Online Dictionary as a reference: www.macquariedictionary.com.au

<p>a</p> <p>AD(JR) Act – Administrative Decisions (Judicial Review) Act</p> <p>a while</p> <p>Aboriginal / Aborigine</p> <p>abovementioned</p> <p>adviser</p> <p>aeroplane</p> <p>aide-mémoire</p> <p>aircrew</p> <p>air force</p> <p>air-condition</p> <p>all right</p> <p>Anshun estoppel</p> <p>antidepressant</p> <p>anti-inflammatory</p> <p>Anton Piller</p> <p>Australian Air Force</p> <p>any more</p>	<p>any time</p> <p>anyhow</p> <p>Anzac</p> <p>appealable / appellable</p> <p>appeal book</p> <p>apropos</p> <p>arm's length</p> <p>army</p> <p>Australian Army</p> <p>artefact</p> <p>audiovisual</p> <p>au fait</p> <p>AusAID</p> <p>AusIndustry</p> <p>Aussat</p> <p>Austel</p> <p>AustLII (legal database)</p> <p>Australian Government</p>
<p>b</p> <p>backdate</p> <p>bankcard – (the generic term for a general-purpose credit card issued by a financial institution)</p> <p>bar table</p> <p>barcode</p>	<p>bated breath</p> <p>blah, blah, blah</p> <p>bloodstain</p> <p>bookkeeper</p> <p>bulkhead</p> <p>by the by</p>
<p>c</p> <p>café</p> <p>car park</p> <p>carte blanche</p> <p>capex</p> <p>CAT scan</p> <p>cc'd</p> <p>CD-ROM</p> <p>cestui que trust (pronounced settee-kay or ses-tee kay)</p> <p>chequebook</p> <p>child care</p> <p>chose in action</p> <p>Christmases (plural)</p> <p>collarbone</p> <p>Comcar</p> <p>Comcare</p>	<p>Commission (when party to a proceeding)</p> <p>Commissioner (of Taxation)</p> <p>Commonwealth</p> <p>Commonwealth Government</p> <p>ComSuper</p> <p>Constitution (Australian Constitution)</p> <p>Convention (Human Rights, Hague)</p> <p>coordinate</p> <p>cooperate</p> <p>court</p> <p>counter-claim</p> <p>counter-offer</p> <p>courthouse</p> <p>courtroom</p> <p>courtyard</p> <p>creditors' meeting</p>

<p>commonplace commonsense Court of Appeal</p>	<p>cross-claim cross-examination Crown</p>
<p>d</p> <p>database day to day (from) day-to-day (events) decision-maker Defence, Department of defence force (Australian Defence Force) defence forces delegate of the secretary demarcation</p>	<p>demark Deputy Commissioner (taxation) desuetude (state of disuse) diazepam disc (both computer and medical) dispatch / to dispatch draft / draftsman / drafting DSM-IV DSM-5</p>
<p>e</p> <p>eff or effing (when full word not used) effluxion (of time) email e-commerce e-court eLodgement e-ticket</p>	<p>etcetera evidence-in-chief examination-in-chief ex parte Excel spreadsheet ex tempore</p>
<p>f</p> <p>family trust (but the Smith Family Trust) Federal Government Federal Police fifty-fifty fingerprint</p>	<p>flier focused / focusing forex (foreign exchange) Fourex (beer brand) Full Bench Full Court</p>
<p>g</p> <p>guideline goodwill Google to google</p>	<p>h</p> <p>halfway holus-bolus hot tub hot tubbing</p>
<p>i</p> <p>ill feeling ill health ill will</p> <p>ill-treat inasmuch as inquiry</p>	<p>insofar as Inspector-General (of Taxation) Instalment</p> <p>internet inter partes intervenor</p>
<p>j</p> <p>jail Job Search (program) judgment</p>	<p>k</p> <p>Kafkaesque know-how ks (abbreviation of "kilometres when said as "kays")</p>
<p>l</p> <p>leasehold Local Government lunchtime</p>	

m	<p>marketplace Mareva (injunction) Markuleski direction MasterCard McDonald's (restaurant) medivac/medivacced mil (short for millimetre) mill (short for million)</p>	<p>Messrs (plural of Mr) Minister (of the government) misstatement moneys multidisciplined mum</p>
n	<p>NASDAQ native title (general) Native Title Act Native Title Tribunal naught (came to naught) navy Australian Navy</p>	<p>Net (the internet) Newstart New Year's Day New Year's Eve no one No. as in "number": (for case citations only, where applicable) Chamberlain v The Queen (No. 1) (1983)</p>
o	<p>Official Receiver okay on to onto (position) online osteoarthritis</p>	
p	<p>Parliament party/party Patent Office pay sheet payout payslip per cent percentage plainclothes</p>	<p>post-traumatic stress disorder policyholder pre-sentence, pre-trial printout pro forma program programmed programming</p>
q	<p>Qantas quoad QPRIME (Qld Police information management system)</p>	r <p>real McCoy re-examination relist res judicata rider (attachment, amendment) right-hand side rollover</p>
s	<p>scattergun approach Scott schedule section service pension shareholders agreement SkillShare sometimes (adverb)</p>	<p>State Government straightaway straight-out subclause subparagraph, subpoint subrule, subset subsection</p>

stakeholder	
t Tax/Taxation Department Tax/Taxation Office taxpayer the Bar (for practising barristers) the Web till (as in until) time sheet timeframe toing and froing tonne (unless specified otherwise)	tortfeasor trademark Trade Marks Act tribunal triple O trust deed trustee trustee de son tort trustee in bankruptcy twofold
u uppermost uberrima fides (utmost good faith)	v video conference video link videotape vis-à-vis
w watch-house the Web website Wednesbury (principle) weekend wellbeing whereabouts White Paper	witness box WorkCover WordPerfect workforce World War II World Wide Web Writeway Report
x X-ray	y yadda yadda yadda

One word or two

any more (always two words)	I'm not going to repeat myself any more. It doesn't matter any more because I have finished.
anyway/anyhow	meaning "nevertheless" or "nonetheless" Will you be going anyway? Anyhow, that wasn't my intention
any way	<i>in any manner</i> Is there any way to progress this matter?
maybe	(adverb) meaning "perhaps" or "possibly" Maybe I will hear the matter later this week. Maybe I will; maybe I won't.
may be	(verb phrase) meaning "might be" or "could be" I may be able to hear the matter later this week
sometimes	(adverb) from time to time; now and then; occasionally Sometimes we do; sometimes we don't.
some time	(adjective + noun) We will deal with that at some time in the future Do we have some time to deal with that matter today?
All right	It is not all right to use alright in place of all right in standard English.

1.45 Watermarks

Watermarks are to appear on all pages (including cover page) of a transcript when required.

All revisable transcripts initially generated by TSPs will show an **UNREVISED** watermark.

Watermarks should be able to be removed/edited via the general “Watermark” drop down options within the “Design” tab in MS-Word.

DJAG (Recording and Transcription Services - RTS) will manage the revision process for all revisable transcripts and will amend transcript watermark to REVISED or Issued Subject To Correction as appropriate prior to distribution of transcript.

Transcripts of the following restricted matters will show a **RESTRICTED** watermark:

- Mental Health Court Hearing and Reasons For Finding transcripts
- Pre-recorded evidence transcript
- S13 or S16AC sentence or sentence submission transcripts
- All Childrens Courts transcripts (both CCM and CCJ jurisdictions)
- Transcripts of DFV applications heard in Magistrates Court
- Any transcript further to above where the Court was closed, except criminal trial transcripts where court was closed when complainant(s) gave evidence or audio of complainant evidence was played
- Any transcript as advised by RTS

Watermarks should be applied diagonally to each page of a transcript, per:

- **UNREVISED** (to be applied by TSPs to all revisable transcripts when first generated)
 - Capitalised, Times New Roman, size 80
- **REVISED** (RTS will amend the unrevised watermark when revisions have been finalised)
 - Capitalised, Times New Roman, size 80
- **RESTRICTED** (to be applied by TSPs to all restricted transcripts: see above)
 - Capitalised, Times New Roman, size 80

Note: For Revisable transcripts that are also restricted (eg, a Mental Health Court Reasons For Finding transcript), an **UNREVISED/RESTRICTED** watermark is to be applied to the transcript in Times New Roman, size 48.

Note: RTS will amend watermarks as required within transcript revision process.

- Transcripts will be amended to show an **ISSUED SUBJECT TO CORRECTION** watermark as applicable
 - Capitalised, Times New Roman, size 40 so that watermark is on one line
- Should an **UNREVISED/RESTRICTED** watermark be amended to **ISSUED SUBJECT TO CORRECTION/RESTRICTED**
 - Times New Roman, size 40 with *ITSC* above *Restricted* across the page



Example of watermark on cover page of transcript:

TRANSCRIPT OF PROCEEDINGS

Copyright in this transcript is vested in the State of Queensland (Department of Justice & Attorney-General). Copies thereof must not be made or sold without the written authority of the Executive Manager, Support Services, Queensland Courts.

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

BODDICE J

No 6606 of 2020

**IN THE MATTER OF AN APPLICATION
FOR BAIL BY JOHN SMITH**

BRISBANE

10.09 AM, MONDAY, 13 JULY 2020

ORDER

Any Rulings that may be included in this transcript, may be extracted and subject to revision by the Presiding Judge.

WARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

SECTION 2: WITNESS EVENTS

2.1 Swearing In/Affirming/Calling Witnesses

- Sworn: the witness swears on the Bible, or other religious document, to tell the truth.
- Affirmed: the witness chooses not to swear on the Bible, or other religious document, and makes an affirmation to tell the truth.
- Called: A Witness might initially be CALLED for enquiries to be made by presiding officer and then at a later point SWORN or AFFIRMED. Should counsel state: "I call Mr Smith" preparatory for a witness to be sworn/affirmed and the give evidence, the CALLED banner is not to be applied. See *Child Witness* for further information regarding application of CALLED banner.

Banners in transcripts to show whether a witness has been sworn etcetera are WITNESS BANNERS and examples follow:

JOHN SMITH, SWORN [11.10 am]

or

JOHN SMITH, AFFIRMED [11.22 am]

or

JOHN SMITH, CALLED [12.13 pm]

or

JOHN SMITH, SWORN THROUGH INTERPRETER [11.22 am]

- Always commence evidence of a new or recalled/resworn witness on a new transcript page from the WITNESS BANNER
- Always type the witness's full name, but note that their title – Mr, Ms, Dr, Professor, etcetera – is not included.
- The time is always indicated on the right-hand side of the page for the initial WITNESS BANNER
- A WITNESS BANNER contains the full name of a self-represented party, **not** the wording DEFENDANT, APPELLANT, RESPONDENT.
- If a witness has not been formally called and addresses the court before they are sworn/affirmed (for example, witness is in the box prior to swearing in/affirmation and Judge enquires if they can hear), witness name should appear in the margin (for example: MR SMITH or MS SMITH) and transcribe exchange in wall-to-wall format

Summary of when Time Stamps apply to Witness and/or Evidence Banners

WITNESS BANNERS:

- Initial WITNESS BANNERS (eg, SWORN/AFFIRMED/CALLED or ... THROUGH INTERPRETER) require a time stamp
- WITNESS BANNERS where a witness has been recalled/resworn require a time stamp
- WITNESS CONTINUING BANNERS will show a time stamp
 - No time stamp is required for a WITNESS CONTINUING BANNER when entered directly after a RESUMPTION BANNER

EVIDENCE BANNERS:

- All EVIDENCE BANNERS (other than banners following an initial WITNESS BANNER or WITNESS CONTINUING BANNER examples per above) require a time stamp

WITNESS BANNERS – VOIR DIRE

- Initial WITNESS BANNERS require a time stamp
- WITNESS CONTINUING BANNER (following an adjournment but where the jury has not yet returned) does not require a time stamp
- WITNESS CONTINUING BANNER (at conclusion of Voir Dire and jury has returned) does not require a time stamp

EVIDENCE BANNERS – VOIR DIRE:

- All EVIDENCE BANNERS (other than banners following an initial WITNESS BANNER or WITNESS CONTINUING BANNER examples per above) require a time stamp

Child witness

The **WITNESS NAME, CALLED** banner is used principally in pre-recorded evidence transcripts where a child will be giving evidence and where the judicial officer speaks to a child witness prior to swearing in/affirmation to explain (for example) how the evidence process will proceed; who are the counsel; ascertain whether the child witness understands the concept of telling the truth and/or determines whether the child may take an oath or affirmation.

There may be instances in general criminal matters where potential adult witnesses are also CALLED for the same reasons.

In all instances where a CALLED banner applies, it would be the Presiding officer only speaking with the potential witness.

Should Counsel state they wish to “call” a particular witness (for example: “The Crown calls John Smith” and the Presiding officer then enquires as to whether (eg) the witness is comfortable, or can they hear etcetera prior to the witness being sworn/affirmed, the CALLED banner is not to be applied and the exchange is transcribed in wall-to-wall format until the witness is sworn/affirmed and the transcript reads for itself.

JOHN SMITH, CALLED

[9.00 am]

HER HONOUR: Hello, John?---Hello.

(transcribe exchange between Judge and witness in Q&A format)

Footer for when a person is CALLED

(exchange between Judge and witness in Q&A format)

(blank)

1-7

WIT: SURNAME A B

If it is then decided that the child is capable of taking an oath after the discussion show:

JOHN SMITH, SWORN

[9.15 am]

EXAMINATION-IN-CHIEF BY MR JONES



If the child does not take an oath after the initial discussion with the judicial officer, show:

JOHN SMITH

[9.33 am]

EXAMINATION-IN-CHIEF BY MR JONES

If the child witness appears via video link from a different location and the judicial officer asks the child to leave while they discuss something, use the **WITNESS STOOD DOWN** banner. When the child returns to the video link, use the **WITNESS NAME, CONTINUING** banner with the applicable stage of examination.

2.2 Stages of Examination

XN	Examination-in-chief (witness's own counsel)
XXN	Cross-examination (opposing counsel)
RXN	Re-examination (witness's own counsel)
FXN	Further examination-in-chief (witness's own counsel – FXN occurs when RXN/FRXN has concluded and counsel wishes to continue XN to adduce evidence unrelated to initial XN or when the witness has been excused and then recalled at a later stage of the matter)
FXXN	Further cross-examination (opposing counsel)
FRXN	Further re-examination (witness's own counsel)

Note: any of these stages may be omitted. For example, a witness may be sworn and examined in-chief, but opposing counsel may not wish to cross-examine, or a witness may be examined in-chief and cross-examined, but their own counsel may not wish to re-examine. Note also that further examination-in-chief and further cross-examination do not occur with all witnesses.

Lengthy evidence may include the following stages of evidence:

XN
XXN
RXN
FXXN
FRXN
FXXN
FRXN
WITNESS EXCUSED

Should the witness then be recalled at a later stage:

FXN
FXXN
FRXN
FXXN
FRXN
WITNESS EXCUSED

Banners showing stage of evidence in a transcript are known as EVIDENCE BANNERS.

Format for Evidence Banners

Stage of evidence and name of counsel flush left and time (if applicable) flush right

EXAMINATION-IN-CHIEF BY MR SURNAME

(**Note:** No time notation for XN banner as the time is shown against the witness banner)

CROSS-EXAMINATION BY MR SURNAME [11.05am]

RE-EXAMINATION BY MR SURNAME [11.05am]

FURTHER EXAMINATION-IN-CHIEF BY MR SURNAME [11.05am]

FURTHER CROSS-EXAMINATION BY MR SURNAME [11.05am]

FURTHER RE-EXAMINATION BY MR SURNAME [11.05am]

Format for Evidence Footers

Stage of evidence abbreviation and name of counsel flush left and name of witness flush right

Evidence-in-Chief

(XN evidence in Q&A format)

XN: MR SMITH

1-7

WIT: SURNAME A B

Cross-Examination

(XXN evidence in Q&A format)

XXN: MR SMITH

1-7

WIT: SURNAME A B

Re-Examination

(RXN evidence in Q&A format)

RXN: MR SMITH

1-7

WIT: SURNAME A B

Further Examination-in-Chief

(FXN evidence in Q&A format)

FXN: MR SMITH

1-7

WIT: SURNAME A B

Further Cross-Examination

(FXXN evidence in Q&A format)

FXXN: MR SMITH

1-7

WIT: SURNAME A B

Further Re-Examination

(FRXN evidence in Q&A format)

FRXN: MR SMITH

1-7

WIT: SURNAME A B

Note: As many evidence footers as required to show all stages of evidence on a page should appear at the bottom of the page

The EVIDENCE BANNER should generally immediately follow the WITNESS BANNER unless lengthy discussion occurs between counsel and/or his/her Honour before the stage of examination commences. Minor introductory comments by the presiding member or counsel should not come between these two event lines.

MR JONES: Your Honour, I call John Smith.

JOHN SMITH, SWORN

[11.45 am]

EXAMINATION-IN-CHIEF BY MR JONES

MR JONES: Mr Smith - - -?---Yes.

(evidence continues)

HIS HONOUR: Yes, Ms Green.

CROSS-EXAMINATION BY MS GREEN

[12.13 pm]

MS GREEN: Is your Honour proposing to deal with the matter after Mr Smith's evidence?

Minimum Evidence to appear on a page of transcript

Note: Should evidence status change on a page of transcript (eg XN to XXN), the relevant EVIDENCE BANNER (including the CONTINUING BANNER, if applicable) as well as one sentence of question or question and answer must appear on the page, otherwise commence on a new page.

Following examples are incorrect and the evidence should commence on a new page of transcript

(XN evidence in Q&A format)

CROSS-EXAMINATION BY MS JONES

[11.50 am]

XN: MR SMITH

1-7

WIT: SURNAME A B

XXN: MS JONES

WIT: SURNAME A B

OR

(XN evidence in Q&A format)

CROSS-EXAMINATION BY MS JONES

[11.50 am]

MS SMITH: Thank you, your Honour. (Q&A with witness commences on next page)

XN: MR SMITH
XXN: MS JONES

1-7

WIT: SURNAME A B
WIT: SURNAME A B

Following example is correct:

(XN evidence in Q&A format)

CROSS-EXAMINATION BY MS JONES

[11.50 am]

MS SMITH: Thank you, your Honour.

Witness, could you state your name, address and age, please?---My name is Jim Brown and I
(witness answer continues on next page)

XN: MR SMITH
XXN: MS JONES

1-7

WIT: SURNAME A B
WIT: SURNAME A B

2.3 Telephone Conference/Video Link evidence

These banners are used solely in relation to witness evidence. For non-witness parties who appear by telephone/video link no banner entry is needed.

Do not include the administrative discussion that the bailiff/associate has with a witness when they initially establish contact on the phone. This is covered by the entry of the witness event banner.

Just prior to each applicable witness event line, enter:

CONDUCTED VIA TELEPHONE CONFERENCE	
JOHN SMITH, SWORN	[12.33 pm]
EXAMINATION-IN-CHIEF BY MR BROWN	

OR

CONDUCTED VIA VIDEO LINK	
JOHN SMITH, SWORN	[12.33 pm]
EXAMINATION-IN-CHIEF BY MR BROWN	

Note: if the video link is cut prior to a witness being formally excused or stood down, do not use a witness excused/stood down banner. Let the transcript speak for itself. The witness excused/stood down banner will be used in the normal way when the witness eventually leaves the witness box.

Note: it is not necessary to show the medium in further evidence banners for that witness on the day, however, if the witness continues giving evidence on following days, the medium banner should appear before the first WITNESS CONTINUING evidence banner.

2.4 Closed-circuit television link evidence

Protected/Special Witness

Sometimes witnesses are placed in a room containing a television monitor and camera. The witness is able to see and hear the person asking questions from the courtroom, and all persons in the courtroom are able to see and hear the witness. The purpose is to enable the witness to give evidence without feeling intimidated by the atmosphere of the courtroom and the presence of the accused.

Note: Child witnesses are always examined via CCTV.

When the witness is located in the same building as the courtroom, but a different room, and is sworn/affirmed/called, show, for example:

CONDUCTED VIA CLOSED-CIRCUIT TELEVISION

JOHN SMITH, SWORN

[10.23 am]

EXAMINATION-IN-CHIEF BY MR GREEN

When the witness is in a different building altogether, whether in the same geographical location (eg, city) or not use the **CONDUCTED VIA VIDEO LINK** format:

Note: if you do not know the location of the protected witness, the default option is the closed-circuit TV wording.

Note: it is not necessary to show the medium in further evidence banners for that witness however, if the witness continues giving evidence on following days, the medium banner should appear before the first WITNESS CONTINUING evidence banner.

2.5 Question and Answer Format

Immediately after a single witness is sworn or affirmed, the questions directed to the witness, together with the answers, are shown in question and answer format. This format should not be departed from whenever the witness responds directly to a question from either counsel or Judge.

Any questions from the presiding officer should remain in Question and Answer format. The only time wall to wall format would be used would be when multiple witnesses are heard together or when an interpreter is being used.

No stage of examination is used for questions asked by a presiding officer.

The speaker's name must be entered in the left margin after a witness event entry.

The ?--- symbol is placed between the question and the answer, with no spaces in between.

Question and answer format applies whether questions are interrogative or declarative.

Words that come to the left of the symbol ?--- are given by the interviewer, usually counsel or the presiding member. Words that come to the right of the symbol ?--- are the witness's answers.

It is necessary to show every change of speaker.

Remember: a question to a single witness and the witness's answer is never paragraphed, no matter how long the question or answer is.

If introductory questions regarding the witness's full name and address are asked by a court officer, these must be transcribed.

JOHN SMITH, SWORN

[11.10 am]

EXAMINATION-IN-CHIEF BY MS GREEN

MS GREEN: Your full name is John Smith?---That's correct.

And you live at Flat 1, 10 Black Street, Farmdale?---Yes, that's right.

What is your occupation?---I'm a company director.

HIS HONOUR: Mr Black, would you say that again, please?---Yes. I'm a company director.

When a witness speaks “out of turn”, ie, when a question is not directed to them, enter WITNESS: in the margin. If/when the witness is directly addressed, resume normal question and answer layout.

MS GREEN: Your Honour, may we have an adjournment?

HIS HONOUR: Yes.

WITNESS: But I want to continue my answer.

HIS HONOUR: Is there a particular reason that it can’t wait?---No, I suppose not.

MS GREEN: Your Honour, a few more minutes won’t matter.

HIS HONOUR: Thank you, Ms Green, but that won’t be necessary.

WITNESS: This is just ridiculous.

When a speaker has been addressing someone other than the witness and then turns to speak to the witness, go down two lines and start a new question.

MS GREEN: Your name is John Smith?---That’s correct.

Your Honour, before I continue, I should tell you that we may need to interpose another witness before Mr Smith completes his evidence.

Now, Mr Wilson, you live at Flat 1, 10 Black Street, Farmdale?---Yes, that’s right.

However, when a speaker has been addressing the witness and then turns to another person, for example, the judge or presiding member, it is not necessary to go down two lines. Simply continue in the same paragraph:

MS GREEN: Good morning, Mr Smith. I am only going to ask you a few questions this morning. Your Honour, before I continue, I should tell you that we may need to interpose another witness before Mr Smith completes his evidence.

HIS HONOUR: Thank you, Ms Green.

MS GREEN: Mr Smith, your full name is John Smith?---Yes.

And you live at Flat 1, 10 Black Street – sorry. Your Honour, I should also say that the next witness will be giving evidence by telephone.

Self-represented defendant as witness

If the self-represented defendant is in the witness box he or she becomes a witness and is treated the same way as any other witness. If the defendant speaks out of turn when in the witness box, use the entry of WITNESS: in the margin



Witness leaves courtroom

Sometimes a witness giving evidence leaves the courtroom temporarily (for example, the judicial officer may want to have a discussion with counsel in the witness's absence or the witness may need to retrieve something from outside, or the judicial officer may inform the witness that they can leave the box for the lunch break or morning tea break), but has not been formally excused or stood down by the Judge.

If an adjournment occurs, only use this banner if the witness has been specifically asked to leave the box prior to an adjournment.

Two clear lines either side:

WITNESS LEAVES COURTROOM

[10.34 am]

Witness continuing

Use this banner if any of the following occurs:

- When the witness returns and continues giving evidence when the witness has temporarily left and returned to the witness box during a session where there was no adjournment/resumption
- After a short break/adjournment, when the witness returns and continues giving evidence
- After another witness has been interposed

JOHN SMITH, CONTINUING	[11.22 am]
CROSS-EXAMINATION BY MR JONES	

When a court resumes with a continuing witness in the box and there is legal discussion prior to resumption of evidence and/or the jury has not yet returned, insert the CONTINUING banner immediately after the resumption of the court *not* at the point at which the jury returns or evidence resumes.

For example:

RESUMED	[11.22 am]
JOHN SMITH, CONTINUING	
(legal or general discussion between Judge and Counsel)	
THE JURY RETURNED	[11.25 am]
HIS HONOUR: Yes, Mr Jones.	
CROSS-EXAMINATION BY MR JONES	
(XXN continues)	

Similarly, if one stage of examination concluded at an adjournment and the next stage doesn't begin immediately upon resumption, enter the "continuing" banner below the resumption banner to show that the witness is physically in the witness box. When the next stage of examination begins, enter the appropriate stage of examination banner and its commencement time at that point.

For example:

(XN had concluded prior to court adjournment)	
RESUMED	[11.22 am]
JOHN SMITH, CONTINUING	
(legal or general discussion between Judge and Counsel)	
THE JURY RETURNED	[11.25 am]
HIS HONOUR: Yes, Mr Jones.	
CROSS-EXAMINATION BY MR JONES	
(XXN continues)	

The only time a CONTINUING banner would start somewhere other than immediately after the RESUMED banner would be if the witness physically entered the witness box at a point after the resumption time (eg, the court has resumed without the witness, there has been legal discussion between Judge and Counsel, then the witness is called back to the witness box prior to jury returning)

For example:

RESUMED (witness is not in the box) (legal argument between Judge and Counsel) HIS HONOUR: Thank you. Let's have the witness back.	[11.22 am]
JOHN SMITH, CONTINUING	[11.24 am]
THE JURY RETURNED HIS HONOUR: Yes, Mr Jones.	[11.25 am]
CROSS-EXAMINATION BY MR JONES (XXN continues)	

Note: no time notation is needed on the “continuing” banner line when entered directly after a resumption banner.

RESUMED	[10.34 am]
JOHN SMITH, CONTINUING	
CROSS-EXAMINATION BY MR JONES	

Witness recalled and re-sworn

If the witness **has been excused** and is then **recalled** and **resworn**, show:

JOHN SMITH, RECALLED AND RESWORN

[3.33 pm]

FURTHER (STAGE OF EVIDENCE) BY MR JONES

If the witness is continuing evidence from a prior day and is resworn, use the following banners:

JOHN SMITH, RESWORN

[3.33 pm]

CONTINUING (STAGE OF EVIDENCE) BY MR JONES

At the conclusion of evidence

When a witness has concluded their evidence, the banner should reflect what the Judicial Officer stated:

WITNESS EXCUSED

[4.45 pm]

WITNESS STOOD DOWN

[5.01 pm]

If the Judicial Officer is not clear as to whether the witness is excused or stood down (eg, Judicial Officer states, "You can go") no banner should be included and the transcript will read for itself.

Witness stood down

The banner **WITNESS STOOD DOWN** is used in the following situations:

- When a witness has finished giving evidence but is not excused because he/she may be required to give further evidence at a later stage of the proceedings.
- When the current witness whose evidence is incomplete is asked to leave the courtroom so another witness may be interposed.
- At the end of the evidence of a witness who is a defendant.

At the end of the day

When a witness is still being examined but the hearing ends for the day, do not enter any witness withdrawn notation. Conclude with an adjourned UNTIL banner.

Hostile witness

A hostile witness is a witness who appears to be refusing to fully testify in support of the party who called them or testifies in a way that significantly differs from their pre-trial statement.

Counsel make an application to the court in the absence of the jury that the witness be declared hostile and (most usually) seek leave to cross-examine the witness under voir dire.

Should the judicial officer grant leave for counsel to cross-examine their own witness, further questions by counsel take the form of examination-in-chief on voir dire.

Opposing counsel will have the right to cross-examine the witness on voir dire, and counsel who originally called the witness may then re-examine on voir dire if required.

The judicial officer will then rule if the witness is hostile. The jury returns and the judicial officer may direct the jury as to weight/relevance of previous evidence and evidence then continues.

Subpoena duces tecum

When subpoenaed documents are provided to the court, the person representing the institution supplying those documents is called, then examined. Relevant evidence footers apply.

JOHN SMITH, CALLED

[9.38 am]

EXAMINATION BY MR JONES

2.6 Wall to wall Format

Wall to wall format is the basic style of transcript where each speaker is identified in the margin.

Wall to wall format is used for all transcript, except where a single witness is called to give evidence, or when otherwise specified by a client.

Dialogue in wall to wall transcript is paragraphed in the normal way based on context and content.

HER HONOUR: Mr Jones, you are for the applicant?

MR A. JONES: Good morning, your Honour. Yes, I appear for the applicant in these proceedings.

MR A. BROWN: Good morning, your Honour. I appear for the respondents.

HER HONOUR: For the respondents. Is the matter going to be contested, Mr Brown?

MR BROWN: Yes, it is, your Honour.

Multiple Witnesses

In the unusual event more than one witness is sworn/affirmed/called to give evidence at the same time, the transcript is in wall to wall format. For example:

JOHN SMITH, SWORN	[11.15 am]
PETER JONES, SWORN	[11.15 am]
JAMES GREEN, AFFIRMED	[11.15 am]
EXAMINATION-IN-CHIEF BY MS WHITE	
MS WHITE: Good morning, gentlemen. Please introduce yourself to his Honour and describe your particular area of expertise, starting with you, Mr Smith.	
MR SMITH: My name is John Smith, and I'm a company director with a background in accounting.	
MR JONES: I'm Peter Jones. Most of my experience is in the area of financial analysis.	
MR GREEN: James Green. My specialty is in planning.	

Footer for multiple witnesses

(XN evidence in wall-to-wall format)		
XN: MS WHITE	1-7	WIT: SURNAME A B WIT: SURNAME A B WIT: SURNAME A B

Witnesses should be shown in footers alphabetically by surname.

If the witnesses leave the witness box together:

WITNESSES EXCUSED

12.10 pm]

If the witnesses leave the witness box at different times:

WITNESS WILSON EXCUSED

[12.10 pm]

Note: If evidence is adduced from individual and multiple witnesses during a matter, the transcript can show both Q&A format for individual witnesses and wall-to-wall for multiple witnesses as required.

2.7 A self-represented party

When a person appears on his/her own behalf, evidence can be given in two ways:

The witness can be examined by the presiding member or read from a statement, and then cross-examined by the opposing barrister/solicitor/advocate.

In these circumstances, the transcript speaks for itself and there is no special banner.

JOHN SMITH, SWORN	[9.40 am]
HIS HONOUR: Witness, what do you recall about the night in question?---Everything. (Q&A format occurs between his Honour and the witness until his Honour concludes his questioning)	
CROSS-EXAMINATION BY MR JONES	[10.00 am]
MR JONES: You say you recall everything... (etcetera)	

Plaintiff, defendant, respondent as witness

When a party gives evidence, treat as a witness in every respect.

If the witness speaks out of turn, enter in the left margin as:

WITNESS: (<i>not DEFENDANT</i>)

When the self-represented party gives a statement from the witness box, there is no special banner, with the evidence continuing in question and answer format, as normal, following the witness being sworn.

Note: wording in banner entries is DEFENDANT, not THE DEFENDANT.

Footer format for when self-rep is reading from a prepared statement or examined by the presiding member is:

(blank)	1-7	WIT: SURNAME A B
---------	-----	------------------

2.8 Interpreted Evidence

An interpreter may be sworn early in a matter or immediately before or after the swearing of the witness whose evidence is to be interpreted.

A transcript containing interpreted and non-interpreted witness evidence can be a mixture of wall to wall and question and answer format. The wall to wall style is to be used when a witness using an interpreter is in the witness box, and the question and answer style should be used for witnesses where an interpreter is not involved.

An interpreter is always shown in the margin as INTERPRETER: . On occasions when an interpreter is present in court and he/she is not sworn to interpret but still assists a person appearing in court, they are still to be shown in the margin as INTERPRETER.

At the end of the witness's evidence, the witness is withdrawn in the normal way. It is not necessary to indicate that the interpreter has withdrawn.

If a witness answers a question in English, even though the interpreter is present, show in the margin WITNESS:

If a witness addresses the court before they are sworn/affirmed, put their name in the margin: eg MR SMITH:

If the witness's name is to be suppressed through a direction by the court, and the witness addresses the court before they are sworn/affirmed, enter their pseudonym in the margin.

Accreditation of Interpreters – Terminology You May Hear

Interpreters used for court work are usually accredited to a minimum standard of NAATI Level 3. NAATI is the National Accreditation Authority for Translators and Interpreters.

For hearing-impaired and/or speech impaired clients, the interpreter may use Auslan, the sign language used by the hearing-impaired community, or CART, Communication Access Real-time Translation, services.

Transcript Format

PETER JONES, SWORN AS INTERPRETER

<

<

JOHN SMITH, SWORN

[10.30 am]

<

<

EXAMINATION-IN-CHIEF BY MR GREEN

<

<

MR GREEN: What is your full name?

WITNESS: John Smith.

MR GREEN: Where do you live, Mr Smith?

WITNESS: 1 Black Road, Farmdale.

MR GREEN: Do you recall the car accident you had on 4 January this year?

WITNESS: I travelling – I been living in Sydney. I travel to Yass.

MR GREEN: Yes, but do you recall the car accident? Do you understand?

INTERPRETER: No, I don't understand what you say.

MR GREEN: Do you recall the car accident you had on 4 January this year?

INTERPRETER: Yes. We were two people in the car.

Simultaneous use of interpreters

There are occasions when it is necessary to use more than one interpreter at one time in a matter. For example, a self-represented litigant assisted by an interpreter may be examining a witness also assisted by an interpreter. Use the following margin layout in these cases.

INTERPRETER (APPLICANT):

INTERPRETER (RESPONDENT):

INTERPRETER (WITNESS):

When more than one interpreter is used for different parties *at the same time at any point* in the transcript, this margin layout wording must be used *throughout the entire transcript*, even if one of the interpreters is no longer used.

However, if during the course of a hearing there are several different interpreters, but *never more than one at the same time*, there will be no ambiguity over who the interpreter is speaking for and the normal margin entry of INTERPRETER: applies.

Note: on occasion, a party may need to use more than one interpreter at the same time or throughout the course of proceedings. The log notes may indicate when interpreters have changed for that party, but there is no need to reflect the variation in interpreters for that party in the transcript. And the applicable entry of INTERPRETER, INTERPRETER (APPLICANT), INTERPRETER (RESPONDENT) etcetera is used throughout.

INTERPRETER (APPLICANT): I want to know if you were at the school on 23 August.

INTERPRETER (WITNESS): I said I can't remember. I still can't remember.

INTERPRETER (APPLICANT): Your Honour, I don't want to ask any more questions.

HIS HONOUR: Thank you, Ms Green. You can leave the witness box now.

WITNESS EXCUSED

10.23 am]

2.9 Evidence by Intermediary

The Queensland Courts Intermediary Scheme assists witnesses with communication needs to give their best evidence.

Follow the **Interpreted Evidence** format when an Intermediary is assisting a witness in the witness box:.

- ◇ An Intermediary is always shown in the margin as INTERMEDIARY: On occasions when an Intermediary is present in court and he/she is not sworn to interpret but still assists a person appearing in court, they are still to be shown in the margin as INTERMEDIARY.

Transcript Format

PETER JONES, SWORN AS INTERMEDIARY

<

<

JOHN SMITH, SWORN

[10.30 am]

<

<

EXAMINATION-IN-CHIEF BY MR GREEN

<

<

MR GREEN: What is your full name?

WITNESS: John Smith.

MR GREEN: Where do you live, Mr Smith?

WITNESS: 1 Black Road, Farmdale.

MR GREEN: Do you recall the car accident you had on 4 January this year?

WITNESS: I travelling – I been living in Sydney. I travel to Yass.

MR GREEN: Yes, but do you recall the car accident? Do you understand?

INTERMEDIARY: No, he doesn't understand what you say.

MR GREEN: Do you recall the car accident you had on 4 January this year?

INTERMEDIARY: Yes. There were two people in the car.

2.10 Voir Dire

“Voir dire” means a mini-hearing held during a trial or pre-trial hearing regarding the admissibility of contested evidence, a witness’s qualifications and expertise or questioning of a hostile witness.

If during criminal trial proceedings, evidence adduced under Voir Dire is always heard in the absence of a jury.

All evidence adduced during a pre-trial hearing is heard on Voir Dire.

Should Voir Dire happen during a criminal trial event, the usual procedure is for the objection to be taken by counsel and a request be made that the matter be resolved in the absence of the jury.

The jury is then sent to the jury room and the Voir Dire evidence is heard in its absence. The witness is usually sworn again, this time for the Voir Dire.

Application of Voir Dire EVIDENCE banners whether evidence is commencing or continuing, is exactly the same as general EVIDENCE banners.

For example:

JOHN SMITH, SWORN

[3.50 pm]

CROSS-EXAMINATION ON VOIR DIRE BY MR JONES

MR JONES: Is your full name John Smith?---Yes.

When there is an adjournment and the witness continues on Voir Dire after the break, show:

RESUMED

[3.50 pm]

JOHN SMITH, CONTINUING

CROSS-EXAMINATION ON VOIR DIRE BY MR JONES

Footers on Voir Dire are the same as general evidence footers with the inclusion of “Voir Dire”.

For example:

(XN Voir Dire evidence)		
XN: MR SMITH VOIR DIRE	1-7	WIT: SURNAME A B

(XXN Voir Dire evidence)		
XXN: MR SMITH VOIR DIRE	1-7	WIT: SURNAME A B

Judge will generally deliver a RULING following Voir Dire evidence. If Voir Dire happens during a trial, the jury will generally return following the Ruling and previous stage of evidence will resume.

When the jury returns and the witness' evidence continues in the presence of the jury, it is necessary once again to show the witness notation at the margin, together with the status.

Note: Should evidence resume immediately under the JURY RETURNED banner, there is no need for a time stamp entry against the CONTINUING banner. However, should Judge address the jury and advise of the RULING, a time stamp is required against the CONTINUING banner when evidence resumes.

Evidence commences immediately upon Jury returning

(Voir Dire XXN evidence)

(Voir Dire evidence concludes and there may be legal argument between Judge and Counsel)

TAKE IN RULING

HIS HONOUR: Madam Bailiff, we'll have the jury back.

THE JURY RETURNED

[3.50 pm]

JOHN SMITH, CONTINUING

CROSS-EXAMINATION BY MR JONES

Evidence commencing after Jury returned

(Voir Dire XXN evidence)

(Voir Dire evidence concludes and there may be legal argument between Judge and Counsel and/or counsel may address or make submissions to Judge regarding ruling on law)

(Judge delivers Ruling)

HIS HONOUR: Madam Bailiff, we'll have the jury back.

THE JURY RETURNED

[3.50 pm]

HIS HONOUR: Members of the jury, while you were away...

Yes, Mr Jones.

JOHN SMITH, CONTINUING

[3.53 pm]

CROSS-EXAMINATION BY MR JONES

Sworn and examined through an interpreter on Voir Dire

When a witness on Voir Dire is sworn through an interpreter, show (two lines either side):

JOHN SMITH, SWORN THROUGH INTERPRETER

[3.50 pm]

CROSS-EXAMINATION ON VOIR DIRE BY MR JONES

Exhibits/MFIs on Voir Dire

(two lines either side, in bold):

EXHIBIT #3 ADMITTED AND MARKED ON VOIR DIRE

OR

MFI #3 MARKED FOR IDENTIFICATION ON VOIR DIRE

Judicial officer's ruling on voir dire

The judicial officer will then give their ruling on the voir dire, and this must be included in the transcript.

SECTION 3: LAYOUT AND PUNCTUATION

3.1 Acronyms

ATODS	Alcohol, Tobacco and Other Drug Services
ATSILS	Aboriginal and Torres Strait Islander Legal Service
AHPRA	Australian Health Practitioner Regulation Agency
BCIPA	Building & Construction Industry Security of Payment Act
CASA	Civil Aviation Safety Authority
CCC	Crime and Corruption Commission Queensland
CLS	Community Legal Service (acronyms for Queensland Community Legal Centres can be found here)
CRISP	Crime Reporting Information System for Police
CDPP	Commonwealth Director of Public Prosecutions
DJAG	Department of Justice and Attorney-General
DPP/ODPP	Office of the Director of Public Prosecutions (Queensland)
DOCA	(pronounced “docka” deed of company arrangement)
DoCS	NSW Department of Community Services)
DOGIT	deed of grant in trust
FaHCSIA	Families, Housing, Community Services and Indigenous Affairs (Department of)
FOI/RTI	Freedom of information/Right to information
HIV-AIDS	
ICARE	Interviewing Children
ILUA	Indigenous Land Use Agreement
LAME	Licensed Aircraft Maintenance Engineer
LAQ	Legal Aid Queensland
NETO	no evidence to offer
PIFU	Population Information Forecast Unit
QPRIME	Queensland Police Records Information Management Exchange
SPER	State Penalties Enforcement Registry
SOTP	Sex Offenders Treatment Program
TORUM	Transport Operations (Road Use Management) Act

Note: Only use an acronym if that is the way it is said. If said in full, type in full.

3.2 Ampersand

The ampersand (&) is not used in transcript unless you know it is correctly part of a name. If in doubt, do not use the ampersand:

Ernst & Young
Merck Sharp & Dohme Australia
P&O Cruises

Note: Gilbert + Tobin (law firm)

3.3 Apostrophes

The apostrophe has two main functions:

1. to indicate the possessive
2. to form a contraction

Note: do not use the apostrophe to form the plural of a word.

Acronyms and capital letters

Use an apostrophe in the possessive form of acronyms or capital letters.

The ACCC's witnesses Spender J's judgment

No apostrophe is needed for the plural form with acronyms or capital letters.

The volumes marked with Ds and Fs are the ones I refer to.

but cc'd PDF'd

Possessive for nouns and indefinite pronouns

Use "apostrophe s" to form the possessive for personal names, singular nouns or indefinite pronouns:

counsel's submissions	anyone's guess
nobody's business	somebody else's book
the judge's chambers	master's degree
for heaven's sake	bachelor's degree
the witness's evidence	the bus's tyres
driver's licence	

In personal names and plural nouns ending in s use an apostrophe only:

the buses' tyres	Dickens' letters
Jesus' teachings	Moses' life
Menzies' policies	Burns' poems
the judges' chambers (more than one judge)	
the members' list of issues	
the witnesses' evidence (more than one witness)	
creditors' meeting	
Teachers' college	

Note: A plural noun that does not end in s should always take the apostrophe s:

Women's Electoral Lobby
The gentlemen's luggage
The Country Firemen's Association
My children's books

Note: **CHILDRENS COURT OF QUEENSLAND/CHILDRENS COURT** are **not** spelled with an apostrophe.

Times

Use the apostrophe for singular and plural nouns. When it is one measure of time (for example, a day, one week), the apostrophe goes before the “s”

a day's notice

one month's probation

When it is more than one measure of time (two days, five years), the apostrophe goes after the “s”

10 years' non-parole

four months' holiday

Place Names / Business Names

Place names are commonly spelled without the apostrophe (although you may come across exceptions):

Badgerys Creek

St Marys

St Johns Wood

Frenchs Forest

Kings Park

Jacobs Well

St Pauls Terrace

Business names usually omit the apostrophe from their titles. As a general rule, omit the apostrophe unless you are certain that the name of the registered entity uses an apostrophe:

Barclays Bank

Dowdens Plumbing and Water Treatment Services

Magistrates Court (ACT, Qld, NSW, NT, TAS, WA)

Exception:

Department of Veterans' Affairs

Veterans' Entitlements Act

Magistrates' Court of Victoria

Veterans' Review Board

Note: all metropolitan and local courts in Victoria take a possessive apostrophe in their title. Go to www.magistratescourt.vic.gov.au and select **Contact Us** for a full list.

Possessive pronouns

An apostrophe is never used with possessive pronouns:

his

ours

hers

theirs

its

yours

To Prevent Confusion

ifs and buts

but

the three Rs

dot the i's and cross the t's

ayes and noes

watch your p's and q's

dos and don'ts

the 1990s the nineties

3.4 Audio/Video/CD/DVD/Exhibit played

Audio and video recordings might be played during proceedings. Examples include pre-recorded evidence of affected child witnesses, evidence of special witnesses in Supreme and District Court criminal matters or pre-recorded evidence of complainants in domestic and family violence breach proceedings. It is not necessary to transcribe the contents of these recordings. Include the following banner in the transcript at the commencement of each instance an audio or video recording is played to the court.

RECORDING PLAYED

3.5 Capitalisation and Lower Case

The general rule for good writing style is that capitals should be used sparingly. Initial capitals should be used only for proper names, full titles when a person is being addressed or referred to, and for some specific words in the areas of government and politics and religion and sacred writings.

I will refer that matter to you, Federal Magistrate Driver.

I will refer that matter to the Federal Magistrate.

but

I will refer that matter to a federal magistrate.

It will be heard by Senior Member Hunt of the Administrative Appeals Tribunal.

but

It will be heard by a senior member of the tribunal.

Commissioner Smith is a member of ASIC.

but

ASIC has several commissioners.

The Supreme Court of Queensland is the highest court in Queensland.

but

The Chief Justice is the senior judge of the court.

He has a Bachelor of Commerce and a Masters of Taxation.

but

He is studying for a bachelors degree and then a masters.

Many young people are keen to join the Australian Army.

but

Many young people are keen to join the army.

Thank you, Dr Jones.

but

I will refer the doctor to that document.

Thank you, Doctor.

Yes, Professor Evans.

but

I showed the professor the affidavit.

Yes, Professor.

Note: words such as “Associate”, “Registrar” and “Bailiff”, will always be capitalised, even in general reference. If a presiding officer is addressed as “Judge”, capitalise.

HIS HONOUR: My Associate is checking that.

HIS HONOUR: I can ask my Associate to photocopy those.

MR SMITH: Perhaps we could inform your Associate at some later time.

HIS HONOUR: I will ask the Bailiff to collect that document

HIS HONOUR: Thank you, Madame Bailiff.

HIS HONOUR: We shall await advice from the Registrar.

MR SMITH: Excuse me, Judge, may I request...

Note: Should a presiding officer be addressed as “Your Honour” or another presiding officer be referred to as “His/Her Honour”, capitalise both words should they commence a sentence, but only “Honour” if within a sentence.

MR JONES: Your Honour, I submit...

MR JONES: I beg your Honour’s indulgence...

HER HONOUR: His Honour Justice Smith referred to that case...

MR JONES: If I can take you to the point his Honour Justice Smith referred to...

Revisable Transcripts

For revisable transcript, rules per 3.5 apply, however, the following words are *always* capitalised, even in general reference: Crown, Court, Judge, Bench, Prosecutor, Defence

Government and Politics

Attorney General (NSW, WA only)
 Attorney-General (all other states)
 Australian Government
 the Commissioner (of Taxation)
 the Deputy Commissioner (of Taxation)
 the Commission (if a party to proceedings)
 Commonwealth
 Commonwealth Government
 Constitution (the Australian Constitution)
 Convention (Human Rights, Hague)
 Director-General
 Federal Government
 Governor-General

House of Representatives
 Inspector-General (of Taxation)
 Local Government
 Minister (of the government)
 the Ombudsman
 Parliament
 Prime Minister
 the Secretary (Dept Social Security)
 State Government
 Treasurer
 White Paper

but in general terms:

federal Education is a federal portfolio.
 government Australia has three levels of government.

Headings / Titles Layout

It is not necessary to use quotation marks for headings or titles. Note also that a comma does not precede the heading or title:

MR SMITH: Do you have a copy of the document entitled First Respondent's Response?

MR JONES: You will see on page 2 under the heading Closing Prices there is a list of figures.

Legal

Act (eg, Trade Practices Act)
 the Bar
 the Chief Justice
 the Chair
 Full Bench
 Local Court
 Official Receiver

Associate
 the Bar Association
 Court of Appeal
 District Court
 Full Court
 Madam Chair
 Supreme Court

County Court
 Federal Court
 High Court

but

appeal book
 bar table
 barrister
 bench
 common law
 counsel
 court

court officer
 courtroom
 judge
 lawyer
 madam, ma'am
 police station*

sir
 solicitor
 trust deed
 trustee, trustee in bankruptcy
 watch-house

*while generic reference to "the police station" or "a police station" should remain in lowercase, in instances where a particular police station is referred to, whether it be a proper name or not, use uppercase. For example, "He was taken to the Perth Police Station for questioning."

Religion and Sacred Writings

Apostles' Creed	God	the Bible
Jesus	II Chronicles 4:7	the Qur'an
Buddhist	the Lord's Prayer	Catholic
Christian	Jew	Muslim
Proverbs	the Ten Commandments	Revelation
the New Testament / the Old Testament		

“State”

The word “state” is generally capitalised only when it is used as part of the name of one of the territorial divisions of Australia:

The State of Victoria is one of the southern states of Australia.
Sydney is the largest city in the State of New South Wales.
The State of Tasmania is known as the Apple Isle.
Kangaroo Island is part of the State of South Australia.

Note: “the State” as a party to a proceedings.

but

Australia is made up of different states and territories.
New South Wales is one of Australia's most populous states.
India is an independent state.
Leaders of the European states are holding a big conference.
The population of this state is growing rapidly.

3.6 Contractions

Verbatim on contractions for all speakers. However, do not overuse. For example:

I'd have	instead of	I'd've
I wouldn't have	instead of	I wouldn't've

However, *unless it would produce an absurdity*, contractions are not to be included in revisable transcript: each contracted word must be spelled out in full.

For example, the following statement contains an absurdity:

“Sometimes, when we get a fright, we jump like that, *do not* we?”

Although contractions in revisable transcript should be spelled out in full, the correct format in this instance would be:

“Sometimes, when we get a fright, we jump like that, don't we?”

3.7 Ellipsis (three dots)

The ellipsis has several uses in DJAG transcripts.

In “evidence-only” criminal trial transcripts to show portion of proceedings from commencement of Jury Empanelment to insertion of OPENING ADDRESSES banner. If this portion of the trial is to be transcribed, it will be requested after the event as transcript type “Ellipsis”.

For example:

HIS HONOUR: Empanel the jury, please.

...

MR SMITH OPENED THE CASE FOR THE CROWN

To demonstrate a sound or action (ellipsis with a space on either side)

What happened then?---After the punch, he cried out like this ... and fell to the ground.

Then what happened?---The accused punched him again like this ...

Names of jurors (ellipsis with a space on either side)

In cases where the judge may talk directly to a juror, if the juror has to say what his/her name is, the name is replaced with the ellipsis.

HIS HONOUR: What is your name?

JUROR: My name is ...

If the jury is referred to on a name by name basis.

ASSOCIATE: Members of the jury, please answer to your names.

...

ASSOCIATE: Members of the jury, do you have a speaker?

SPEAKER: Yes.

To show costs discussion in a Judgment transcript

In the uncommon event where the numbers and/pr PIN numbers of Courtroom telephone- or video-conference links appear in a transcript when Judge and/or Bailiff/Court Service Officer might be discussing with counsel/a party how to initiate a telephone- or video-conference link-up.

HIS HONOUR: The teleconference number is ...

MR SMITH: Sorry, your Honour. Was it ...?

BAILIFF: ...

MR SMITH: Thank you. And the PIN?

BAILIFF: ...

MR SMITH: Thank you. I will hang up and call in right now.

3.8 Emotive interjections

Non-words such as um, ah, er, are not transcribed.

3.9 Enumerated Points

If a speaker enumerates points, type as follows:

What I'm trying to work out is three things: (a) to ascertain that that's correct as a matter of fact, (b) who made the choice to change the financial provider, and (c) when the finance provider changed.

The time within which the plaintiff is to serve (1) outlines of lay evidence and (2) any expert evidence in reply will be extended to 10 December.

That statement was later confirmed, your Honour, because of (a) the changed circumstances of the applicant and (b) the fact he had no current passport.

I have a problem with that point, Mr Smith, because (1) your witness didn't show up today and (2) you didn't inform the other side that he wasn't attending.

3.10 Exhibits and MFIs

Exhibits are generally tendered by Counsel during submissions or evidence. Use the EXHIBIT banner per example below.

EXHIBIT #1 ADMITTED AND MARKED

OR

EXHIBIT #2 ADMITTED AND MARKED ON VOIR DIRE

In some circumstances the Judge might “mark” the item “*for identification*”. Use the MARKED FOR IDENTIFICATION banner per examples below even if Judge marks the item as an exhibit

MFI #A MARKED FOR IDENTIFICATION

OR

MFI #ID3 MARKED FOR IDENTIFICATION ON VOIR DIRE

OR

EXHIBIT #A MARKED FOR IDENTIFICATION

Should there arise a situation where it is not clear whether the item has, in fact, been admitted as an exhibit or marked for identification, apply the above as best possible and let the transcript speak for itself.

MR JONES: I tender that document.

HER HONOUR: That will be exhibit 1.

EXHIBIT #1 ADMITTED AND MARKED

If an article is tendered by counsel but there is no acknowledgement by the judicial officer as to its admission, no banner is to be included and the transcript will read for itself.

Multiple exhibits

If multiple exhibits are tendered together with no individual description for each exhibit, use just one banner entry. For example:

MR JONES: I tender those five photographs, your Honour.

HIS HONOUR: Exhibits 5 to 10.

EXHIBIT #5 TO 10 ADMITTED AND MARKED

If multiple exhibits are tendered together and the judge or counsel clearly identify the description of each exhibit, these should be entered separately and preceded by the presiding officer's naming of each exhibit. For example:

MR JONES: He was aged 36 and 37 at the time of the offending. He's 39 now. He has a criminal history in Queensland, New South Wales and Victoria. I'll tender a copy of each, your Honour.

HIS HONOUR: The Queensland history is exhibit 1.

EXHIBIT #1 ADMITTED AND MARKED

HIS HONOUR: New South Wales history exhibit 2.

EXHIBIT #2 ADMITTED AND MARKED

HIS HONOUR: Victorian history exhibit 3.

EXHIBIT #3 ADMITTED AND MARKED

Note: in a transcript, there is no space between the acronym MFI and the number or letter which follows, eg, MFI3, MFIB.

However, there is a space between the word “exhibit” and the number or letter which follows, eg, exhibit 3, exhibit DJB3 etcetera.

There are always two clear lines either side of an EXHIBIT/MFI banner.

MR JONES: Your Honour, I tender the statement of John Smith, dated the 25th of June 2006.

HIS HONOUR: Thank you, Mr Jones. That statement is accepted into evidence and will be marked as exhibit 3.

EXHIBIT #3 ADMITTED AND MARKED

MR JONES: Thank you, your Honour.

Some variations on exhibit entries may occur if an exhibit is shown or read to the jury. The banner entry will replace the need to type the content of the exhibit.

Generally, things read to the jury should not be transcribed. The jury will be given a hard copy or other replacement in court for them to refer to.

The main exception to this rule is if the content needs to be read into the record. For example, if a witness statement was read out because the witness was unable to be in court due to illness or incapacity or if a victim read out a Victim Impact Statement.

However, ***transcriptionists must be sure the exhibit was read in its entirety*** for the **READ TO THE JURY** banners to be included. If only a portion(s) of the exhibit was read, transcribe in full per written quote format.

For example:

EXHIBIT #7, 8 AND 9 SHOWN TO THE JURY

EXHIBIT #3 ADMITTED AND MARKED AND READ TO THE JURY

EXHIBIT #7 READ TO THE JURY

EXHIBIT #8 SHOWN TO THE JURY

Note: where the exhibit is marked and admitted at the same time as it is shown/read to the jury, use the following banner format:

EXHIBIT #1 ADMITTED AND MARKED AND READ TO THE JURY

If an exhibit is read or shown to the jury, type this as:

EXHIBIT #1 READ TO THE JURY

or

EXHIBIT #1 SHOWN TO THE JURY

3.11 Extract of Transcript of Proceedings

Portions of proceedings (for example, an arraignment or a specific portion of sentence submissions or Summing-Up/Redirections) can be requested as transcript type “Extract”.

Transcribe extracts according to the relevant format/style applicable to the proceedings. There is no requirement to commence or conclude an extract transcript with an **EXTRACT OF PROCEEDINGS** banner.

No Day number is to appear on the cover page of Extract transcripts, however, the banner **EXTRACT OF PROCEEDINGS** should appear instead of the Day number banner

3.12 False Starts – Stumbles

Use of the Single Dash

What is your full name?---My name is – my full name is John Smith.

And could you tell me your address, please?---I live at 14 – sorry – 24 King Street, Farmdale.

Your Honour, I think I will now – no, I withdraw that.

Your Honour, my learned friend – well, I object to what he just said. He is not allowed to lead the witness. I would ask that he put the question to – that he ask the question again without leading.

Tidying up false starts and repetitive interruptions

Note: see also 1.42 – Verbatim Transcript

Witness evidence

There should be no tidying up of a witness's words. As a witness is examined in court, his answers will become his evidence and it is essential that this evidence is transcribed in full. Therefore, when a witness starts a sentence and perhaps changes a thought, those words should not be "tidied up" but separated with the appropriate punctuation.

?---It was my und – belief that she said those words (correct)

?---It was my belief that she said those words (incorrect)

Counsel, judge, presiding member

Note: see also 1.42 – Verbatim Transcript

It is acceptable to tidy up in a minor way the speech of judges and counsel in relation to repetitive starts **of identical words** and the use of "mmm/mmm-hmmm". The meaning of what the speaker is saying should never be changed, and if you are in doubt about how or what to edit, don't.

No doubt that will be agreed to, so the – so the actual terms are not appropriate.

could be typed as

No doubt that will be agreed to, so the actual terms are not appropriate.

However:

You did mention there may – state there may be possible problems.

Should not be tidied up as the stumble/repetition was not identical words

Repetitive interruptions

Unless "mmm/mmm-hmm", include all interruptions as they occur. Do not tidy these up.

3.13 Margin Entries / Forms of Address

Names and titles appear in the left margin followed by a colon and three spaces. Some of the more common entries appear below.

List of commonly used margin entries

Title	Margin entry
Chief Justice	THE CHIEF JUSTICE:
Chief Judge	THE CHIEF JUDGE:
President for non-QIRC	THE PRESIDENT:
President for ICQ/QIRC	HIS HONOUR:
Note: Land Court only	KINGHAM P:
Vice President for ICQ/QIRC	HIS HONOUR:
His Honour	HIS HONOUR:
Her Honour	HER HONOUR:
President of Childrens Court of Queensland	THE PRESIDENT
Chief Magistrate	HIS/HER HONOUR
Magistrate	HIS/HER HONOUR
Deputy president	DEPUTY PRESIDENT:
Deputy President Merrell (ICQ/QIRC)	HIS HONOUR:
Commissioner	COMMISSIONER:
Registrar	REGISTRAR:
Member (eg, QCAT)	MEMBER:
	THE ATTORNEY-GENERAL:
Associate (eg, Dist / Sup Crts / ICQ/QIRC)	ASSOCIATE:
Court Services Officer (Mag Court)	COURT SERVICES OFFICER
Bailiff (eg, Dist / Sup Crts)	BAILIFF:
Witness	WITNESS:
Interpreter	INTERPRETER:
Defendant	DEFENDANT:
	DEFENDANT SMITH:
	DEFENDANTS BY ELECTION:
Unidentified speaker	UNIDENTIFIED SPEAKER:
Respondent	RESPONDENT:
Mag Crt domestic violence	AGGRIEVED:
Mag Crt civil	PLAINTIFF:
Mag Crt criminal and civil	DEFENDANT:
	APPELLANT:
Federal agent	FED AGENT SURNAME:

Title	Margin entry
Police constable	CONST:
Senior Constable	SNR CONST SURNAME:
Acting Senior Constable	A/SNR CONST SURNAME:
Detective Senior Constable	DET SNR CONST SURNAME
Sergeant	SGT SURNAME:
Senior Sergeant	SNR SGT SURNAME:
Detective Sergeant	DET SGT SURNAME
Acting Senior Sergeant	A/SNR SGT SURNAME:
	Note: use abbreviated titles in banner entries
	Note: "surname" will be replaced with the applicable person's surname
Prosecutor (for an unnamed prosecutor, be it counsel or a police officer)	PROSECUTOR:
unnamed police officer (when not appearing as prosecutor)	OFFICER:
Chairperson	CHAIRPERSON:
QCAT	ADJUDICATOR SURNAME:
Justice of the Peace	SURNAME JP:
	DEPUTY REGISTRAR:
	D TAXING OFFICER:
	TAXING OFFICER:
Inspector	INSP:
Judgment debtor	JUDGMENT DEBTOR:
Judicial registrar	REGISTRAR:
Jury	JURY:
Doctor (plus name)	DR SMITH:
Mc name	MR McNAMARA:
Mac name	MS MacDONALD:
	MR DI CONTI:

When said as "his Honour Justice Smith", type as "his Honour Justice Smith".

When reference is made to "his Honour Judge Smith", type it as said. Do not abbreviate unless the speaker abbreviates.

Note that "judge" is not abbreviated to "J", nor is "Justice" abbreviated to "J". If the speaker says "Judge Smith", type as said. If the speaker says "Justice Davies", type as said.

If reference is made to "Magistrate Smith", for example, type as "Magistrate Smith". There is no abbreviation.

For multiple justices, do not abbreviate. Type as

...their Honours Justice Wilcox, Justice Emmett and Justice Kiefel

...their Honours the Chief Justice, Justice Keane, Justice Wilcox and Justice Emmett

Lord, Lord Justice, Master

Lord Justice Mummery
Lord Justices Chadwick, Mummery and Sedley

The titles of Master and Lord remain as Master and Lord:

Lord Denning
Lord Diplock
Master Harper – Supreme Court of the ACT

Doctor

In the margin:	DR SMITH:
If sworn as a witness:	JOHN SMITH (full name only)
In the transcript:	How long have you been practising, Dr Smith?
	I have been a doctor for 20 years.
	Thank you, Doctor.

Professor

In the margin:	PROF SMITH:
If sworn as a witness:	JOHN SMITH (full name only)
In the transcript:	What is your specialty, Professor Smith?
	I am a professor of anthropology.
	Thank you, Professor.

Other

Yes, Sergeant	Yes, Sergeant Brown.
Thank you, Captain	Thank you, Captain Black.
We will have a bulk arraignment, thank you, Madam Associate.	
You can email that to my Associate.	

3.14 Ceremonial Sittings

Ceremonial sittings can take place in Supreme, District or Magistrates Courts. Sometimes several ceremonial events can take place consecutively, eg, Admissions of counsel followed by Exchange of Christmas Greetings. DJAG will request a transcript of all ceremonial events except stand-alone admission of solicitor/barrister events.

- Announcements/presentation of King's Counsel
- Swearing in/welcoming of judicial officers
- Retirement/farewell/valedictory ceremonies for judicial officers
- Exchange of Christmas greetings
- Admissions of solicitors and barristers
 - **Note:** Admissions transcripts are not revisable

Type all judges' names in full in the transcript, eg, "Justice Jones", not "Jones J"

In the margin:

THE CHIEF JUSTICE:
THE ATTORNEY-GENERAL:
THE SOLICITOR-GENERAL:
THE PRESIDENT:
THE VICE PRESIDENT:
THE CHIEF JUDGE:
JUSTICE HENRY: (*not HIS HONOUR*)
HIS HONOUR: (for Chief Magistrate)

Note: Other than stand-alone admissions of solicitors/barristers events, all other ceremonial event transcripts are revisable by individual speakers at the event, and an UNREVISED watermark should be applied to relevant ceremonial transcript.

Ceremonial transcript cover pages will show the most senior Judicial Officer unless a list of Judicial Officers is provided by RTS, whereupon all Judicial Officers will be listed on the cover page.

Examples of cover pages:

Admissions

Note: If Admissions occur at the same time as another ceremonial event (often exchange of Christmas Greetings), transcribe both events in the one transcript for the DJAG transcript request.

Cover page in these instances would be:

IN THE MATTER OF AN EXCHANGE OF CHRISTMAS GREETINGS

IN THE MATTER OF AN APPLICATION FOR ADMISSION AS A LEGAL PRACTITIONER BY JOHN SMITH, STEVEN JONES AND JILL BROWN

If Admissions is a stand-alone event, the matter would be recorded but a transcript would not be requested by DJAG. In those instances, an individual will submit a user-pays request for the portion of the admissions ceremony relating to them only.

Cover page would be:

IN THE MATTER OF AN APPLICATION FOR ADMISSION AS A LEGAL PRACTITIONER BY JOHN SMITH

And the transcript would show just the portion of proceedings relating to the requestor:

THE CHIEF JUSTICE: Mr Jones, do you move?

MR JONES: May it please the court. Your Honour, I have the pleasure (etcetera). He has satisfied the admission requirements of the board and I move his admission.

THE CHIEF JUSTICE: Let Mr Smith be admitted.



Announcement/presentation of King's Counsel

IN THE MATTER OF APPOINTMENT OF JILL SMITH, JAMES JONES AND PETER GREEN AS KING'S COUNSEL

Farewell/Valedictory ceremony

**IN THE MATTER OF A VALEDICTORY CEREMONY
FOR THE HONOURABLE JUSTICE McMEEKIN**

Swearing-In ceremony

IN THE MATTER OF THE SWEARING IN OF THE HONOURABLE JUSTICE JEAN DALTON AS A JUDGE OF THE SUPREME COURT OF QUEENSLAND

Welcome ceremony

**IN THE MATTER OF A WELCOME CEREMONY FOR THE HONOURABLE
JUSTICE ELIZABETH WILSON AS A JUDGE OF THE SUPREME COURT OF
QUEENSLAND**

Note: An Oath of allegiance is usually delivered by a Judicial officer during a formal swearing in event and sometimes during admissions ceremonies.

The Oath can be delivered individually or collectively per following banners:

OATH OF ALLEGIANCE AND OF OFFICE ADMINISTERED *(for one barrister/solicitor)*

OATHS OF ALLEGIANCE AND OF OFFICE ADMINISTERED *(for more than one barrister/solicitor)*

The second page of a ceremonial transcript will show the speakers at the event. A list of speakers, their titles and their organisation will be provided within the work notes on the TST.

Following is an example of how speakers are shown.

Note: Show only those at the Bar table or who speak

Also present

On behalf of the Government of Queensland:

The Honourable (*insert name*), Attorney-General and Minister for Justice, and
.....(*insert name*), Director-General, Department of Justice and Attorney-General

On behalf of the Office of the Director of Public Prosecutions:

....., Director (*insert name*)

On behalf of the Bar Association of Queensland:

..... (*insert name*)

On behalf of the Queensland Law Society:

..... (*insert name*)

Should a welcome to country ceremony happen during a ceremonial event, the following F&S is to apply:

F&S for name of Elder on page listing attendees:

UNCLE JIM SMITH

AUNTY ALICE SMITH

Margin Designator in transcript:

UNCLE JIM SMITH

AUNTY ALICE SMITH

Should Elders speak in their language during the welcome to country ceremony, a banner is to be inserted to reflect that portion of proceedings:

SPEECH IN [SPECIFIC] LANGUAGE

Example of a ceremonial transcript with a welcome to country ceremony:

HIS HONOUR: Take a seat, thanks. Good morning, everybody. It's my pleasure to invite Uncle Chris Teasfield of the Goreng Goreng people to perform a welcome to country. Uncle Chris.

UNCLE CHRIS TEASFIELD: Thank you.

SPEECH IN GORENG GORENG LANGUAGE

First people of the land. My name is Chris Teasfield. My traditional name is Nalunga, which in my language means belongs to us. The ancient boundaries that were passed down to me, Araygon Creek to the north, Burnett River to the west of the Auburn Ranges, and south to the Elliott River. Under the native title claim that went through on the determination, there was four tribal groups recognised for this area. They were Taribelang, Gurang, Oyeli and Goreng Goreng, which I'm a member of, the Goreng Goreng nation.

Transcript example: swearing in of a judicial officer of Supreme Court

JUSTICE WHITE: Chief Justice, I present a commission appointing me a Judge of the Supreme Court of Queensland.

THE CHIEF JUSTICE: Let the commission be read.

COMMISSION READ

THE CHIEF JUSTICE: I now ask Justice White to take the oaths of allegiance and of office.

OATHS OF ALLEGIANCE AND OF OFFICE ADMINISTERED

THE CHIEF JUSTICE: Fellow Judges, Judges of the Federal Court (etcetera)

At the conclusion of the ceremonial sitting, show a short line from the left hand margin.

The District Court today is a modern and dynamic institution. I am acutely conscious of the great confidence that is reposed in me through this appointment, but I look forward to the challenges that lie ahead and it is my hope to preside over a court that is, at once, effective, efficient and harmonious. And, perhaps, as my first official act as Chief Judge, I will now direct these proceedings be recorded and invite you all to join the Judges for morning tea in the foyer outside, after we adjourn. Would you adjourn the court, please.

3.15 Indistinct / Inaudibles

[indistinct] notation represents indistinct or inaudible words which have been omitted from the transcript. They can represent one word or several words. Do not precede or follow them with punctuation.

Note: do not use [indistinct] if a word is audible but simply unusual or you are unsure of its spelling (eg, a person's name).

MR JONES: The matter was dealt with in the evidence given by the first witness, and that, your Honour [indistinct] of it.

OR

HIS HONOUR: Witness, can you answer that question?---[indistinct]

If a substantial section of a recording is indistinct, enter (two clear lines either side):

PORTION OF RECORDING INDISTINCT

If audio is missing, enter (two clear lines either side).

PORTION OF RECORDING MISSING

3.16 Interruptions and Unfinished Sentences

Interruptions – by another speaker

Three spaced dashes follow the last typed character, with a space after the last character, to indicate that a speaker has been interrupted. This applies in wall to wall transcript and question and answer transcript.

If the unfinished sentence continues immediately after the interruption, use the three spaced dashes to lead into the continuing sentence. Note the following examples.

Wall to wall Transcript

MR JONES: Your Honour, I have two reports to hand up - - -

HIS HONOUR: What was the date of the second report, Mr Jones?

MR JONES: Five September, your Honour. The first one is not dated, but - - -

HIS HONOUR: Thank you. Yes, please continue.

MR JONES: - - - it is agreed to be 15 July 2019.

Question and Answer Transcript

When the witness interrupts the questioner:

MR JONES: Mr Smith, did you say you live at - - -?---I live at the Gold Coast.
How long have you lived at the - - -?---For about five years.

When the questioner interrupts the witness:

MR JONES: Mr Smith, did you say you lived at the Gold Coast?---Yes, I said - - -
Thank you. That is all I need to know?---But I would like to add - - -
There is no need to say anything else?---I would really like to say - - -

When the questioner and the witness interrupt each other:

MR JONES: Mr Smith, how long have you been living - - -?---I can't remember - - -
- - - at the Gold Coast?--- - - - the exact amount of time.
Do you own your own home or - - -?---No, I don't. I rent a unit in - - -
- - - do you rent accommodation?--- - - - Burleigh Heads.

Interruptions – when a speaker “interrupts himself”

When a speaker breaks the continuation of what he is saying to insert unrelated words or to change the tack of what he is saying, denoting a change of thought process, indicate this by the use of a single dash.

The single dash does not need to be used as a pair. It can be used alone in a sentence, or it can be used several times during the course of a long monologue, for example.

MR JONES: Your Honour, what I would like to say – and you will see this in my written submissions – is that the applicant could not have said those words.

MR SMITH: On page 15 of that report, your Honour, that very point – and I trust your Honour has read the report I refer to. All relevant facts have been set out in that report and I have itemised them in a separate – well, no, not a separate reference, but a reference which I originally handed to my learned friend before this trial commenced. That very point that Mr Jones mentioned this morning, which is referred to on page 15 of that report – that very point, I repeat – has been denied categorically.

3.17 The use of “Mmm”

Only use in Question and Answer format for the **witness** when it the **only** thing the witness replies in response to a question is “Mmm-hmm”.

For example, if the witness says, “Mmm, that’s right”, it would be transcribed as, “That’s right.”

Do not type “mmm” for counsel or a judicial officer if they utter “mmm” or “mmm-hmm” as their only response to something. The transcript will speak for itself.

3.18 Non-words: “Uh-huh” and “Uh-uh”

“uh-huh” is found in the Macquarie Dictionary and denotes a positive response and should be transcribed verbatim if said.

“uh-uh” is found in the Macquarie Dictionary and denotes a negative response and should be transcribed verbatim if said.

3.19 Oblique Stroke / Slash

Limit the use of the oblique/slash in transcript to instances such as the following:

The '06/07 financial year

It would have been around 2005/2006

I was on holiday around July/August.

Please provide a copy to your client and/or your instructing solicitors.

That sounds very much like a yes/no answer.

3.20 Paragraphs

In Wall to wall Format

Paragraphs in transcript should be based on context and signal the transition from one idea to another. For example:

HIS HONOUR: In respect of each charge, you must try to reach a unanimous verdict; that is, a verdict on which you all agree, whether guilty or not guilty. You must reach your verdict on the evidence and only on the evidence. The evidence is what the witnesses have said from the witness box and the admissions that have been made. That’s evidence.

What’s not evidence? Anything you’ve heard or read or otherwise learned about this case outside the courtroom is not evidence, and you must exclude that information. Therefore you should put out of your minds anything that you’ve seen, heard or read about the trial and act only on the evidence you’ve heard in this court.

A few things you’ve heard are not evidence....

Discretion should be used to ensure that overly long or short paragraphs are avoided.

Changes in context and ideas can be subtle, as above, or more obviously pronounced. For example:

There are many types of animals, many of which are domesticated, such as dogs. Dogs have traditionally assisted with farming and property security duties, though this has changed over generations as people moved away from farms and farming enterprises. In areas where farm activities remain widespread, dogs continue to fulfil these roles.

Cats, also, have been widely domesticated and have in recent years been identified in academic studies as fulfilling therapeutic purposes. Allergies to cats have resulted in low-allergenic breeds becoming more popular.

Other animals such as horses have undergone little change in their roles within human environments over the years. A majority of the world's horses continue to be utilised for work purposes, though horses also feature largely in entertainment areas such as horse racing, circus performance and competition equestrian events.

Note: Revisable transcripts, such as summing up, judgments, orders, sentences, etcetera, should also be paragraphed according to the content of what is said.

In Question and Answer Format

- When there is a single witness in the witness box, never paragraph the question to the witness or the answer given by the witness.
- However, when a single witness is in the witness box, dialogue other than a question to the witness or the witness's answer can be paragraphed – for example, dialogue between his Honour and counsel.

3.21 Part Words

Part words for witnesses should be transcribed if audible.

3.22 Quotation of speech

Quotation marks are used for direct speech **by anyone in all transcript**, regardless of whether transcript is wall-to-wall or Q&A format.

Direct speech refers to the *exact words* spoken by or attributed to someone are repeated.

?---He said, “I didn’t know anything about that document until I saw it this morning.”

?---I remember exactly what she said. She said, “I saw John three days ago because he had to give me my tax form.”

?---I said to him, “I don’t want to be involved.”

MR BROWN: What did you say then?---I remember asking, “Were you bankrupt at that stage?” His response was, “No. That didn’t happen until two years later.”

MR JONES: The witness’s last answer was “couldn’t work” because of his back, not “could work”.

HIS HONOUR: When you say “the room”, which room do you mean?

For quotations within direct speech quotations (nested quotations), use single quotation marks.

?---John told me, “Jill said, ‘I did not take the money’”.

HIS HONOUR: He said, “I meant to say ‘will happen’, but instead I said ‘happened’.”

MR SMITH: My recollection is the witness said, “Are you asking me if I said ‘guidelines’ or ‘guidance’?”

Indirect speech, or reported speech, is not the exact words of someone else and is generally used to talk about the past with a change to the tense of the words spoken. Reporting verbs such as 'say', 'tell', 'ask' are common and 'that' will often introduce the reported words. Quotation marks are not applied to indirect speech.

He said that he didn’t know anything about that document until he saw it that morning.

I highlight for your Honour the line where Mr Brown indicated to the court that he remembered the conversation because that was the day he resigned.

Normal punctuation rules apply to the content of a quote.

There is no preceding comma for phrases or single words, but there is a comma preceding a *complete* sentence.

Full stops, commas and question marks can go inside or outside quotation marks, both single and double, depending on the context of what is being said.

Semicolons and colons go outside the quotation marks.

MR SMITH: My recollection is the witness said, “Are you asking me if I said ‘guidelines’ or ‘guidance’?”

MR SMITH: Your Honour, we will give evidence that Mr Bloggs said to the applicant, “You should also consider whether the results of your risk profile are accurate.” We say he was told, “It is important to understand your own investment goals.”

MR SMITH: You said, “I didn’t”; correct?---That’s correct.

Interruptions during verbal quotes

Verbal quotes: quotation marks encompass the three dashes - - -

MR JONES: Your Honour, his words were, “Under the negotiations---”

HIS HONOUR: One moment, please, Mr Jones.

MR JONES: “---agreement should be reached within a month.”

MR BURTON: Your answer yesterday was, "As I say, I was very close -----"?-- I was very close.

“-----but I don't know how close". Can you remember saying that?-- Yes.

However, show a dash when the speaker interrupts the quotation

MR BURTON: I put it to you that your answer yesterday was, “I was very close” - and you were interrupted, but then continued - "but I can’t be sure"?-- Yes.

3.23 Quotation of written material: case law, legislation, transcript including evidence, text messages etc

When a passage from a document is read, lay this out as indented and italicised. One clear line is left between the end of the text and the beginning of the quotation.

Note: Should the quotation of written material comprise three or less words, the Quotation of Speech style (ie, quotation marks) may be applied.

Email text / addresses

Quotes of text/email speak should be typed verbatim as they are said.

Email addresses can be set out in the following recognised format. Remember to deselect the email hyperlink underlining and font colouring if a full email address produces such a result. The typed email address should be in black font, with no underlining.

For example: john.citizen@emailaddress.com

Wall to wall example

MR BLOGGS: The most concerning comment was about how – reading from line 6:

I was so angry and just kept hitting him.

This shows a total lack of control.

For an incomplete quoted sentence, end the quotation with a single dash if the speaker interrupts himself:

MR BLOGGS: The most concerning comment was about how – reading from line 6:

I was so angry and just kept hitting him -

I will pause there.

For an incomplete quoted sentence, end the quotation with three spaced dashes if another speaker interrupts:

MR BLOGGS: The most concerning comment was about how – reading from line 6:

I kept hitting him because I was so angry - - -

MR BROWN: Well, I object to this, your Honour.

If the sentence starts part way through, commence the quotation with ellipsis and follow with the first word of the quote, with no space:

MR BLOGGS: The most concerning comment was about how – reading from line 6:

...hitting because I was - - -

MR BROWN: Well, I object to this, your Honour.

Question and answer example

MR JONES: Mr Smith, do you see in that letter where it says:

My employment was terminated without any written notice from the employer.

?---Yes, I see that.

Question and answer – quotation interrupted by a witness

What he says is:

I have seen no fall-off of interest from buyers in recent times as a consequence of this or any other mooted changes to the industry - - -

?---The way that I understood it is he is talking about the practice, the book, and I am only valuing an interest.

Quotes with no introductory remarks

In wall to wall transcript

When a speaker commences reading quoted material without introductory remarks, leave a clear line after the speaker's name and type the quotation indented and in italics:

HIS HONOUR: Ms Green, read out the passage you are referring to.

MS GREEN:

APRA's functions are set out in section 9 of the APRA Act and include, inter alia, any functions conferred on it by any other Act of the Commonwealth.

In Question and Answer transcript

Spoken by the questioner – type the word “Continuing” at the margin before the quotation commences:

Please turn to page 11?---Yes, I’ve got that.

Continuing:

The applicant has shown himself to be a person upon whom no reliance can be placed.

Do you remember saying that?---Yes, I do.

Continuing:

And has providing several misleading statements to support his claim.

Spoken by the witness

Note: if in doubt about whether any words are part of a quotation or where a quotation starts and stops, keep as a normal sentence.

Yes. If you could keep reading. What does the next sentence say?---

It was at this time that I considered legal proceedings against them because of their actions.

Other than during evidence, long quotations may be paragraphed following the DJAG paragraph content guidelines in the paragraph section of this manual. Long quotations during evidence should not be paragraphed.

Stumbles or unnecessary repetitions of a written quote on the speaker’s part can be tidied up within the strict tidying up guidelines in the section on False Starts and stumbles in this manual.

Quotations from case law or legislation by counsel or a witness

- To be transcribed in full.

Quotations of evidence in Summing-up/Redirections

- Quotations, including quotations of transcript, in summing up/redirections should be transcribed in full unless read as absolutely verbatim where banners can be substituted (two clear lines either side). For example:

PAGE 12, LINE 40 TO PAGE 13, LINE 10 READ

if this referenced information is provided.

HIS HONOUR: I'll let you go back into the jury room after we've finished hearing Dr Smith's evidence and you just let me know what you want to do, okay? All right, then. Madam Associate, if you can read Dr Smith's evidence, please.

DAY 15, PAGE 7, LINE 30 TO PAGE 24, LINE 18 READ

HIS HONOUR: And that's the evidence of Dr Smith, ladies and gentlemen.

If the above banner information is not provided, all quotations are to be transcribed in full.

Note: in the above examples:

- this banner style layout can only be used if the transcript is read **absolutely verbatim** with no interjections whatsoever. If any interjections occur, either by the speaker or another person, all quotations are to be transcribed in full.
- listen through the audio to check that the speaker does not include his/her own words during the quotation. For example, if, in the summing up/redirections, the judge is quoting from a transcript passage and says words to the effect of "The witness said, 'I didn't steal the car on Monday.' Counsel then said, 'That's what you told the court'", the words "the witness said" and "counsel then said" need to be typed into the transcript as they do not form part of the quotation.

HIS HONOUR: I will read out the passage that counsel highlighted for you yesterday. The witness said:

I didn't steal the car.

Counsel then said:

That's what you told the court.

Read by counsel:

Quotations of transcript which are made by counsel should be typed in full. Quotations of Q and A segments should be laid out, indented and italicized, in the same way as a normal transcript layout:

MR BROWN: I'll read out the transcript section, if I may. Page 17, line 33, where I asked the witness:

So you say that you had just one meeting with your supervisor?---Yes, it was just the one.

And what date was that one meeting?---I think it was on a Monday. Monday, the 10th, I think.

And just so that there was no ambiguity, I asked the witness again:

Just to get this clear, you're saying that one meeting occurred, not two?---Definitely. Yes.

HIS HONOUR: Yes. Thanks, Mr Brown. I see that.

Note: Quotations in Magistrates Court/QCAT decisions are transcribed verbatim and in full.

3.24 Sound-alikes and Homophones

advert	refer to
avert	turn away, prevent, ward off
adverse.....	opposed, antagonistic
averse	reluctant
advice (noun).....	an opinion recommended or offered
advise (verb).....	to give counsel or offer an opinion, to recommend
affect (verb)	to alter, to change, to modify, to influence
affect (noun – rarely used) ..	in psychological terms, external expression of emotion
effect (noun)	result, consequence, outcome, aftermath
effect (verb)	to bring about, to accomplish, to cause to exist
allude.....	to refer to casually or indirectly
elude	to slip away from, to avoid or escape by dexterity
antecedents (plural noun)	ancestry, one's past history
antecedence.....	the act of going before
appellate.....	taking notice of appeals (appellate court)
appellant (noun).....	one who appeals to a higher court
appraise.....	assess, estimate, value
apprise	advise, inform, notify, warn
bare	(verb) to expose, display, confess
	(adjective) stark, meagre, unembellished, plain
bear (verb).....	to tolerate, accept something as a duty or responsibility
to bate	to restrain or to moderate (bated breath)
to bait	to lure, to goad into anger, to seek to entrap
breach	a failure to perform some promised act or obligation; to act in disregard of laws, rules, contracts or promises – “a breach of contract”
breech	the position of a baby positioned with its head up instead of down in the uterus; the opening in the rear of the barrel of a gun
complement.....	balance, set off, supplement, complete
compliment.....	praise, tribute, flattering remark
counsel (noun).....	(singular or plural) barrister or barristers in legal proceedings
counsel (verb).....	to advise
council	a body of people charged with specific business
dependant (noun)	one who depends
dependent (adj)	contingent on something else
disburse.....	expend (money), defray (cost)

disperse.....	scatter, disseminate
discomfit	(verb) to thwart, to disconcert
discomfort.....	(noun) absence of comfort, uneasiness
discreet.....	careful, cautious, guarded
discrete.....	separate, distinct, different
elicit	draw, extract, evoke
illicit	illegal, unlawful, forbidden
enunciate.....	to utter or pronounce words in a particular manner; to state or declare definitively
annunciate.....	to announce, but with a religious connotation
ensure	to secure, make sure or certain
insure	to guarantee against risk of loss or harm
incidence	occurrence
incidents	episodes, events
inter alia.....	among other things
inter alios.....	among other people
it's.....	contraction or short form of "it is"
its.....	possessive form of "it"
licence (noun).....	formal permission, certificate of permission
license (verb).....	to grant permission, to authorise
licensee (noun).....	one to whom a licence is granted
loath	disinclined, hesitant, reluctant
loathe	despise, hate, abhor
lose, losing	misplace, as in lost
loose.....	relaxed, not tight
Messrs.....	plural of Mr, when referring to more than one man
mute	silent, speechless, quiet
moot	debatable, arguable, doubtful, controversial
personalty.....	chattels, movable assets
personality	character, behaviour
practice.....	(noun) the business of a professional person, repeated or habitual performance
practise	(verb) to carry out, perform
prescribe.....	lay down or impose authoritatively, advise use of
proscribe.....	put outside protection of the law, banish
principal	chief, head, primary
principle	law, regulation, rule, fundamental truth

provenance.....	origin, place of origin
providence.....	foresight
temporally.....	relating to time, secular
temporary	not permanent, lasting a short time
tort.....	a civil wrong
torte.....	a rich cake
taught	past tense of the verb <i>to teach</i>
tortious	relating to torts
tortuous	twisting and winding, devious, intricate
veracious.....	speaking the truth
voracious.....	greedy in eating, ravenous
who's	contraction or short form of "who is" or "who are"
whose (pronoun).....	of belonging, relating to – "Whose book is this?"

3.25 Spacing in Transcript

After a name in the margin:	a colon and three spaces
Before and after all transcript banners	two clear lines above and below
Short line to conclude a transcript	two clear lines below last line of text
At the conclusion of addresses if transcribed	two clear lines below last line of text
At the conclusion of summing-up if transcribed	two clear lines below last line of text
Following a comma	one space
Following a full stop	two spaces
Following a semicolon	one space
Following a colon	two spaces

3.26 Spelling

The authority for spelling and discrimination adopted for the purpose of transcripts is the latest edition of the Macquarie Dictionary. When the dictionary gives alternative spellings, the alternative first shown is to be used.

The Oxford Dictionary may be used if the word sought is not in the Macquarie.

Words spelled out

When a word is spelled out, it is represented in transcript in lower case with a single dash between each of the letters. Note there is an initial capital letter for proper nouns:

His name is John Smith. John, J-o-h-n, Smith, S-m-i-t-h.

I said “employed”, e-m-p-l-o-y-e-d, not “employ”.

But

The Department of Employment and Workplace Relations is known as DEWR for short, that is, D-E-W-R.

Note: Spellings within revisable transcript do not need to be typed out. Spellings are provided solely for the benefit of the typist so that they will type the word/name correctly.

Phonetic Alphabet

If the phonetic alphabet is used to spell something, eg, registration numbers, type it as it is said, using a capital letter at the start of the phonetic alphabet word:

Tango Mike Zulu 254

T for Tango, M for Mike, Z for Zulu 254

Note: the exception to this is when the phonetic alphabet is used in dictation, in which case the letters only should be typed.

ie and eg

Type these abbreviations in transcript only if they are said as such. Type them with no spaces and no stops between, with a comma either side:

To identify the relevant points, your Honour, there are three documents of interest, ie, documents where you will find just this information.

That information has been provided in hard copy, eg, pamphlets and meeting notices, as well as electronic copy.

Mc and Mac

Names commencing with the prefixes Mc and Mac are to be shown at the margin, in witness event lines and in footers with lower case “c” and “ac” as follows:

In the margin: MR McGREGOR
 MS MacDONALD

In witness events: JOHN McTAVISH, SWORN

However, when the Mc or Mac is not a prefix and the name has only an initial capital, show as follows:

MR MACKINNON	Macleay Island
MS MACRAE	Mackenroth Constructions

Mt or Mount

Where “Mount” is part of a name for a suburb or institution, type “Mount,” not “Mt”:

Mount Hotham
Mount Isa Institute of TAFE

Pty Ltd / Pty Limited / Proprietary Limited

Heading pages should show what is listed on the court file or court list. In the body of the transcript, transcribe as spoken. Only type “Pty” or “Ltd” if that is the way it is said.

Senior / Junior

Mr Jones Senior is present in court
Michael Smith Junior

BUT I discussed that with Mr Jones, the senior of the two.

St or Saint

Where “Saint” is part of a name, use the abbreviated form of “St,” not “Saint”:

St Albans	St Paul’s School
St Lucia	St John’s College

St or Street

Type “Street” in full. Use the same rule for Point, Port, Road, Circuit, Avenue, etcetera:

15 Adelaide Street, Brisbane
The address was 1323 Circuit Street, Hong Kong

“Youse / Yous”

A non-standard word which should be transcribed as “youse”.

3.27 Spelling names

Where a person's name is given but no suggested spelling provided, use Google or other reference material to identify any confirmed spelling. If none is available, make a sensible and reasonable attempt to spell the word as it sounds.

3.28 Stand-alone comments

Many speakers use acknowledging words such as "okay", "all right", "fine" "thank you" throughout a transcript. These should be shown as stand-alone comments, that is, they should be followed by a full stop.

HER HONOUR: Okay. All right, then.

MS GREEN: Thank you, your Honour. Okay. I can't quite remember the filing date, and I can't decipher the photocopy here.

HER HONOUR: I see. No problem. Take your time.

MS GREEN: Yes. All right.

3.29 Take In banners

TAKE IN banners are used in the main transcript to show where a revisable portion of the transcript will appear as a separate document. For example, judgments, orders, sentences are separate documents to the main transcript. They are revisable because they go to the court for editing before they are released to the parties.

MS GREEN: It would become cumulative - - -

HIS HONOUR: If there was - - -

MS GREEN: - - - if there was a breach.

HIS HONOUR: If there's a breach. Yes. All right.

TAKE IN SENTENCE

HIS HONOUR: I'm inclined to go ahead and make my decision as to what should happen with this caveat now, even if it be the case that 389A isn't quite the right pathway for it to have got to me, it's got to me and I've heard the substance of it. Do you disagree I should make my decision now?

APPLICANT: No. Not at all.

HIS HONOUR: Very well. Have a seat.

TAKE IN JUDGMENT

HIS HONOUR: This is the matter of Smith. I've listed it this morning to give my reasons, and the preliminary point on the application to exclude evidence. I will give those reasons now. They won't be published, obviously, unless – until proceedings are concluded. After I've given my reasons, then I'll hear from the parties as to the next step that might be required in the proceedings.

TAKE IN RULING

(Only if Ruling has been extracted from transcript as a separate transcript request, otherwise the Ruling would be transcribed in full)

HIS HONOUR: All right. Let's have a conversation about the second aspect of the application

Transcript example of the commencement of a judgment

HER HONOUR: The appellant, who is now 22 years of age pleaded guilty in the Magistrates Court, Mount Isa on the 10th of March 2013 to two charges of assault occasioning bodily harm in company. Those two offences were committed on the 16th of November 2012 in Surfers Paradise. At the time the appellant was 19 years of age.

Transcript example of the commencement of a sentence

HIS HONOUR: Stand up, Mr Jones. This offence or offences which you committed that night really snowballed from something that seems to have been a relatively minor domestic dispute between you and a friend or friends. There was even a time when the anger that was expressed by you against the other seemed to have been able to be sorted out, and then, really inexplicably, you took the step that has led you to court today.

Orders

In the body of the transcript show **TAKE IN ORDER**. Do not transcribe the order in the main transcript. It is typed as a separate, revisable transcript.

Any orders delivered at the conclusion of a revisable transcript must remain as part of the revisable transcript.

Transcript example of an order

HIS HONOUR: All right. Well, in relation to the appeal against convictions and sentences imposed on the appellant in the Magistrates Court at Southport on the 15th of July 2011, by consent, I make orders in terms of the draft order which I have initialled and dated and placed with the papers.

SECTION 4: JURY EVENTS

Empanelling of a jury

Empanelling usually occurs at the commencement of a trial where the accused (the defendant) has pleaded not guilty.

Regardless of whether a matter is "fully transcribed" or "evidence-only transcript", or the "Ellipsis" component is requested, under **NO circumstances are juror names to be included in a transcript, due to privacy/security issues.**

Occasionally the judicial officer will ask the bailiff or associate to "call over" the jury if they have been absent from the courtroom or after an adjournment. This portion of proceedings is **NOT TO BE TRANSCRIBED** (see 3.7 - Ellipsis). All that needs to be included in the transcript is (eg) the Bailiff saying:

BAILIFF: Jury all present and correct, your Honour.

Empanelling of jury when FULL TRANSCRIPT or "Ellipsis" requested

If a matter is being "fully transcribed" or only "Ellipsis" portion has been requested, the transcript will show a banner representing the jury empanelment, and all legal argument, admission of exhibits and everything else that happens up until the banner showing the opening by the Crown prosecutor is transcribed. For example:

HIS HONOUR: Empanel the jury.

JURY EMPANELLED

HIS HONOUR: Ladies and gentlemen, you have been empanelled to try this case. I will ask the Crown Prosecutor to inform you of potential Crown witnesses.

Empanelling of jury when EVIDENCE-ONLY TRANSCRIPT requested

If a matter is being transcribed as "evidence only" transcript, which is the standard practice unless a full transcript has been requested, the JURY EMPANELLED banner is not included as it occurs within the ellipsis portion. The transcript would show:

HIS HONOUR: Empanel the jury.

...

MR SMITH OPENED THE CASE FOR THE CROWN

In this case the ellipsis (...) represents the jury empanelment and also anything else that occurs in the proceedings for that matter up until the opening by the Crown where the banner is inserted to show the opening. It could be legal argument, the judge explaining the matter to the jury, admission of exhibits, evidence in voir dire etcetera, but is not included in the “evidence only” transcript.

It is not unusual for a jury to be empanelled and then legal argument etc continue for the remainder of the day without Opening Addresses commencing. In these instances, the transcript will show the ADJOURNED UNTIL banner only following the ellipsis.

Should the trial commence the next day and legal argument etcetera continue, the transcript will commence with a RESUMED banner and then ellipsis until Opening Addresses commence.

Replacement juror empanelled

This will usually occur during the part of the proceedings covered by the ellipsis after the jury has been empanelled and will only be transcribed if a full transcript or transcript type Ellipsis is requested.

If a member of the jury indicates he/she knows one of the witnesses, the judicial officer will question that juror as to whether he/she should continue as a juror in the trial.

If a Full Transcript or Ellipsis transcript is requested, the discussion around the juror replacement process must be transcribed.

Ideally, if the Monitor can determine which juror is speaking, the speaker annotation should show the juror as in the order they were sworn. For instance, if the juror was the fifth panel member sworn, the Speaker annotation would be JUROR NO 5 and the transcript margin designator would be the same.

If the juror number cannot be determined, a margin designator of JUROR is acceptable.

If more than one juror speaks and they are unidentified, use JUROR for each margin entry. Let the transcript speak for itself.

If a juror is disqualified or discharged at the beginning of a trial, before any evidence or submissions have commenced, no banner entry is needed. It is usually then necessary to swear in a replacement juror. The replacement of the juror is shown in the transcript as follows:

REPLACEMENT JUROR EMPANELLED

Transcript example: If a juror's name is mentioned, it should not be transcribed. The word "Juror" should replace the juror's name.

HIS HONOUR: And there may be reasons personal to any one of you which may cause you to wonder whether you can be completely impartial in this case. So if, for any reason whatsoever, any one of you feels that you cannot be, and by all fair-minded people be seen to be, completely impartial – and that might extend to Juror knowing Mr Smith – please raise your hand now. Yes, come forward please, Juror number 2. All right. Is anyone else – okay. We'll need to select a new juror number 2.

REPLACEMENT JUROR EMPANELLED

HIS HONOUR: So the newly selected Juror number 2, having regard to what I said just before, is there any reason why you feel that you cannot be, and by all fair-minded people be seen to be, completely impartial?

If a juror is disqualified or discharged once a trial has started and perhaps after evidence has started, it will usually follow that the whole jury will have to be discharged. There is no banner entry for either a single juror, or a whole jury being discharged. The transcript will speak for itself.

Speaker for the jury

The person elected as the spokesperson for the jury is referred to as speaker. This person may be addressed by the judicial officer as "Speaker", "Mr Speaker" or "Madam Speaker", etcetera. Some judicial officers may continue to use the traditional term "foreman" or "foreperson" when addressing or talking about that individual. When the speaker makes a statement, at the margin show:

SPEAKER:

If a juror other than the speaker speaks, do not identify the person by name; identify the person by the order in which he/she was sworn, that is:

JUROR NO 2:

If the proceedings have been remotely recorded and you do not know which juror spoke, use:

JUROR:

When the judicial officer/associate asks a question which requires the whole jury to respond in unison, enter JURY: in the margin.

JURY:

Names of jurors

If the judge makes reference to the juror's name, replace it with "Juror".

HIS HONOUR: So, Juror, you say you know this witness.

Sample verdict transcript:

ASSOCIATE: Members of the jury, are you agreed upon your verdicts?

JURY: Yes.

HER HONOUR: Yes.

ASSOCIATE: In respect of count 1, do you find the defendant, John Joe Jones, guilty or not guilty of stealing?

SPEAKER: Guilty.

HER HONOUR: Guilty.

ASSOCIATE: Guilty, your Honour. So says your speaker, so say you all?

JURY: Yes.

Witnesses' names read to the jury

This will usually occur during the part of the proceedings covered by an ellipsis after the jury is empanelled.

Having selected the jury, it is then usual for the trial judicial officer to request the Crown prosecutor to read out the name of the accused and the names and addresses of the witnesses who it is proposed to call to give evidence. If a full transcript or a transcript type Ellipsis is requested, this is transcribed in full.

When this has been done the judicial officer then invites the jurors to state whether or not any of the persons mentioned is known to them.

Do not show "No response from jury" in the transcript. Let the transcript speak for itself.

Adjournment/Resumption with a jury and jury status after day 1

For ongoing transcripts, day 2 and beyond will start with the resumption banner. If the status of the jury from the prior day is known, include that information in the resumption banner, if applicable.

Refer to the Adjournment/Resumption section in this manual for further detail.

If the judicial officer wishes to discuss something with counsel in the absence of the jury, or if a witness is in the witness box and counsel or the judicial officer wish to discuss something in the absence of the jury, the jury will be asked to leave the courtroom. In the transcript this event is represented by the banner entry THE JURY RETIRED followed by the applicable time. Transcribe the exchange and then return the jury with THE JURY RETURNED banner followed by the applicable time and then re-enter the witness event line.

MR SMITH: Can I make a submission on the law, please.

HER HONOUR: Yes. Members of the jury, would you excuse us for a moment.

THE JURY RETIRED

[9.33 am]

MR SMITH: The line of question that's just being pursued is obviously with a view to Jones v Brown.

HER HONOUR: Yes.

(discussion continues until the judicial officer asks for the jury to be returned)

MR SMITH: Thank you, your Honour.

HER HONOUR: Bring the jury in.

THE JURY RETURNED

[9.45 am]

BRIAN PETER BAKER, CONTINUING

CROSS-EXAMINATION BY MR SMITH

Jury retires and returns

When the jury retires or returns, use THE JURY RETIRED or THE JURY RETURNED banners (two lines either side):

THE JURY RETIRED

[11.14 am]

THE JURY RETURNED

[11.32 am]

If the jury is not officially retired at the end of the day of a hearing, there will be no JURY RETIRED banner. This will also apply in a civil trial with a jury. Let the transcript speak for itself.

HIS HONOUR: The case has proceeded with some expedition today, so Mr Smith's predicament is understandable. What it means, ladies and gentlemen, is that you're not required any more today and I look forward to seeing you tomorrow morning at 10 o'clock. The court will adjourn until then.

MATTER ADJOURNED at 3.42 pm UNTIL WEDNESDAY, 22 MAY 2023

Ellipsis used when empanelment is not transcribed

The Jury Empanelment process is not transcribed unless specifically requested. Once the process begins, the transcript should show the ellipsis with two clear lines either side. The next banner should be the opening address banner.

Jury dismissed

There is no banner entry to show this event. The content of the transcript will speak for itself. For example:

HIS HONOUR: I accede to the application, as I've said, and I propose to discharge this jury. The trial will have to commence again. I will discharge the jury now. Would you bring the jury in.

THE JURY RETURNED

[11.24 am]

BAILIFF: Jury present and correct, your Honour.

HIS HONOUR: Ladies and gentlemen, a matter of extraordinary seriousness has arisen in this trial. This has occurred during the course of the time that you've been in the jury room. I thank you on behalf of the community for your involvement in this trial. Thank you. The jury have left the courtroom – the former jury have left the courtroom. What do we do now?

MR JONES: Your Honour, the Crown has no objection to the trial starting next week.

(transcript continues)

HIS HONOUR: Adjourn the court.

Mistrial

In the event that a mistrial occurs, the judicial officer will dismiss the jury. No banner event is needed in this instance. Let the transcript speak for itself.

HIS HONOUR: Ladies and gentlemen, there has been some legal argument before me and as a result of the matters raised in the argument, I have determined to rule that the trial that has been proceeding with you as the jury should be terminated. As the jury in this matter, you are formally discharged. Thank you very much. You are free to go.

MR SMITH: Your Honour, I'm unavailable next week. Would your Honour mention it tomorrow and I can liaise with my learned friend.

Verdicts

When the jury returns to give its verdict, this marks the beginning of a separate transcript.

Verdicts are not transcribed unless requested. Should a verdict transcript be requested, proceedings are transcribed in full from when court resumes for the first verdict event, including multiple verdicts and any redirections or legal discussion between verdicts.

The transcript will commence with the [TIME] notation when the court resumes for the verdict and [TIME] notations will show for all court adjournments and resumptions during a Verdict transcript.

[2.23 pm]

HER HONOUR: Madam Bailiff, we've got verdicts?

BAILIFF: Yes, your Honour, the jury have advised they've reached a verdict.

HER HONOUR: Thank you. Bring the jury back, please.

THE JURY RETURNED

[2.24 pm]

HER HONOUR: Members of the jury (etcetera)

If a verdict transcript is to be transcribed

When a jury returns with a verdict(s), all words spoken are to be transcribed verbatim - including all false starts, wrong words, etcetera.

Enter SPEAKER: in the margin when the speaker of the jury says something.

HER HONOUR: Members of the jury, have you got a speaker?

SPEAKER: Yes.

HER HONOUR: Okay. Has the jury reached verdicts in respect of each and every count?

SPEAKER: Yes, on each count.

Jury unable to reach a verdict

Not transcribed unless requested within a Summing-Up/Redirections or Verdict transcript.

Occasionally a jury will indicate to the judicial officer that it cannot reach agreement on a verdict. If a transcript is requested, all exchanges between the judicial officer and the speaker of the jury or a member of the jury must be recorded and transcribed.

Presiding Judge may request a jury to continue deliberations several times if jury advises a verdict cannot be reached and will usually deliver a Black Direction before discharging a jury.

Be particularly careful to transcribe exchanges between the judicial officer and counsel after the jury has been requested to continue its deliberations.

Note: If the Jury are unable to reach a Verdict and are discharged, this would be included in the Summing Up/Redirections transcript and NOT a Verdict transcript (as no verdict is delivered) UNLESS jury has delivered a verdict on one or more charges but cannot reach agreement on the remaining charges whereby the exchanges between Judge and jury would be in the verdict transcript.

The verdict transcript will conclude when the judicial officer dismisses the jury/adjourns the court (whichever comes last), or, if sentencing submissions commence immediately after Verdict, at the commencement of sentence submissions. There is no need to include the JURY RETIRED banner as the transcript will speak for itself.

Verdict transcripts should conclude with a short line, flush left two carriage returns below the last line of text.

HER HONOUR: On behalf of the court, thank you very much for your patience, time and effort in respect of this matter. Don't forget to get all of your things before you go. You're free to go.

Black Direction

In consultation with counsel, the judicial officer may give the jury a Black Direction. This is a direction that, unless a verdict is reached by a certain date and time, the jury will be discharged and a retrial listed. This generally occurs when there have been numerous redirections, jury questions about details/charges, and time issues (eg, Circuit trial). The Black Direction forms part of the summing up/redirections transcript.

Majority Verdict

In consultation with counsel, the judicial officer may give the jury a direction as to a majority verdict being acceptable. This is a direction that a majority of generally 11:1 or 10:2 is acceptable to finalise deliberations and return a verdict. This generally occurs when there have been numerous redirections, jury questions about details/charges, and time issues (eg, Circuit trial).

The majority verdict direction forms part of the summing up/redirections transcript.

The jury returning and recording a verdict forms a verdict transcript.

Conclusion of verdict transcript

Leave two clear lines and then enter a short line from the left margin.

Judge-alone Supreme or District Court criminal trials

Should a criminal trial matters be heard before a Judge only, when Counsel have concluded their addresses to Judge/final legal argument or submissions have concluded and Judge commences their reasons and judgment, the main trial transcript should conclude with **TAKE IN JUDGMENT**

A separate, revisable Judgment transcript is then prepared containing Judge's reasons and final judgment as to guilt or not of the defendant(s).

Sentencing might commence immediately following delivery of Judgment and separate Sentence Submissions and revisable Sentence transcripts should be produced.

SECTION 5: JURISDICTIONS

Basha inquiry/S590AA hearing (Pre-Trial Hearing)

These matters are to be recorded and transcribed in full.

Argument regarding matters of law, mostly concerning admissibility of evidence (heard on Voir Dire), usually occur as a separate event (a pre-trial hearing) in advance of the trial itself, and sometimes before a judicial officer who may not preside at the trial. At this preliminary hearing, the judicial officer rules on the issues in question.

If a witness should have been cross-examined at a committal proceeding and was not cross-examined, the District Court or the Supreme Court may have to conduct a Basha Inquiry/S590AA hearing. This involves cross-examining the witness on Voir Dire without a jury present.

Any rulings made during a Pre-Trial/Basha Inquiry/S590AA should be included as part of the main transcript unless specifically requested separately.

Orders separate to Rulings should be notated with the TAKE IN ORDER banner and the Order transcript requested as a separate, revisable transcript.

Supreme and District Court - Criminal

Judges of the Trial Division are shown in the margin as

THE CHIEF JUSTICE:

THE CHIEF JUDGE:

HIS HONOUR:

HER HONOUR:

After Counsel announce their appearances, the following preliminary stages of a trial occur:

1. The Crown presents the indictment (**transcribe**)
2. The judicial officer invites the defendant (accused) to stand (**transcribe**)
3. The judicial officer asks the associate to arraign the defendant (**transcribe**)
4. The associate reads out the indictment (**transcribe - even false starts**)
5. The defendant replies by pleading (**transcribe**)
6. The judicial officer announces the jury empanelment process (**not transcribed**)
7. The jury is empanelled (**not transcribed**)

Ellipsis should only be included in an evidence-only criminal trial transcript to show the portion of proceedings from commencement of jury empanelment through to commencement of opening addresses which may include legal argument, rulings, adjournments and resumptions, etcetera, which must be requested separately as an Ellipsis-type transcript in order to be transcribed.

Begin transcribing again when the Crown commences opening addresses. Addresses banners only (opening and closing addresses are not transcribed unless requested).

Commence typing after the opening address by the Crown has finished. If tapes of pre-recorded evidence are played, use the **RECORDING PLAYED** banner entry.

Evidence-only criminal trial transcripts will usually include:

- From commencement of proceedings till commencement of Jury Empanelment/Judicial Address
- Portion of proceeding between announcement of jury empanelment and commencement of Opening Address(s) is represented by Ellipsis (...)
- Opening Address banner(s) (only)
- All content immediately following Opening Address(s) thorough to the commencement of Closing Addresses
- Closing Addresses banners (only)
- All content immediately following Closing Address through to commencement of Summing Up (separate revisable transcript)

Other than portion of proceedings represented by Ellipsis and Opening/Closing Addresses (all of which can be requested separately or included in a Full Transcript request), all content from commencement of the trial through to Summing Up is to be transcribed.

For example:

Discussions between Judge and counsel following Opening Addresses but prior to evidence commencing are transcribed in full.

All discussion between Judge and Bar table after the jury has been sent out following conclusion of Closing Addresses but before commencement of Summing Up would be transcribed.

Legal Argument – when to type it

Unless directed by the Judicial officer to be recorded but not transcribed, all legal argument within the portion of proceedings covered by a transcript request is transcribed

Legal argument with a witness present

When evidence is being given by a witness who is in another room (or location) giving evidence via Telephone/Video Link or CCTV, Judge/counsel may request the witness be muted so that discussion/legal argument may occur

Let the transcript speak for itself.

There is no need to include a **WITNESS STOOD DOWN** banner.

On the resumption of the evidence, head up the transcript as for a witness CONTINUING or for a new stage of evidence.

Legal argument after closing addresses

Any legal argument occurring after closing addresses and before summing up should be typed and included in the Evidence Only/Full Transcript.

Legal argument after summing up

Legal argument/discussion between counsel and the judicial officer after the jury retires is transcribed in the summing up transcript.

Sample layout of “Evidence-Only” Criminal Trial transcript

HER HONOUR: Good morning. Can I have the appearances, please.

MS A. GREEN: Good morning, your Honour. My name is Green, initial A., instructed by the Director of Public Prosecutions, for the Crown.

HER HONOUR: Thank you, Ms Green.

MR B. BROWN: Brown, your Honour, initial B., instructed by Legal Aid Queensland, for the accused.

HER HONOUR: Thank you.

MS TEMPLETON: I present an indictment against Joe Bloggs charging him with assault. I ask that he be arraigned upon that indictment.

HER HONOUR: Yes. Joe Bloggs, would you stand up. Arraign the accused.

ASSOCIATE: Joe Bloggs, you stand charged by that name that on the 18th day of October 2007 at Wacol in the State of Queensland you assaulted Jane Doe. How say you, are you guilty or not guilty?

DEFENDANT: Not guilty.

HER HONOUR: Inform the accused of his right of challenge and empanel the jury, please.

...

MS GREEN OPENED THE CASE FOR THE CROWN

JANE JAYNE DOE, SWORN

[9.50 am]

EXAMINATION-IN-CHIEF BY MS GREEN

Note: for criminal trial transcripts, start typing the content of the matter once opening addresses have concluded.

If opening addresses are interrupted for any reason, and some discussion occurs at that point, that should also be typed and followed by the applicable banner to show opening address is continuing.

HER HONOUR: Thank you, Mr Brown. Thank you, members of the jury.

MR BROWN OPENED THE CASE FOR THE CROWN

HER HONOUR: Let me just interrupt you a moment, Mr Brown. Something has been brought to my attention which needs to be addressed immediately.

MR BROWN: Of course, your Honour.

(exchange between the bench and counsel occurs here)

MR BROWN CONTINUED TO OPEN THE CASE FOR THE CROWN

Sample layout of “Full Transcript” Criminal Trial transcript

If a request is made to have the preliminary stages of a trial transcribed (full transcript), then instead of the three dots signifying missing text, the transcript would look like this:

HER HONOUR: Good morning. Can I have the appearances, please.

MS A. GREEN: Good morning, your Honour. My name is Green, initial A., instructed by the Director of Public Prosecutions, for the Crown.

HER HONOUR: Thank you, Ms Green.

MR B. BROWN: Brown, your Honour, initial B., instructed by Legal Aid Queensland, for the accused.

HER HONOUR: Thank you.

MS GREEN: I present an indictment against Joe Bloggs charging him with assault. I ask that he be arraigned upon that indictment.

HER HONOUR: Yes. Joe Bloggs, would you stand up. Arraign the accused.

ASSOCIATE: Joe Bloggs, you stand charged by that name that on the 18th day of October 2007 at Wacol in the State of Queensland you assaulted Jane Doe. How say you, are you guilty or not guilty?

DEFENDANT: Not guilty.

HER HONOUR: Inform the accused of his right of challenge and empanel the jury, please.

DEFENDANT INFORMED OF RIGHT OF CHALLENGE

JURY EMPANELLED

The judicial officer then invites the Crown to read out to the jury the names of the witnesses who are likely to be called (transcribe).

HER HONOUR: Ladies and gentlemen, having heard those names and bearing in mind what I previous said, does any juror feel that they cannot be impartial? Thank you.

Ladies and gentlemen not empanelled for this trial, you are now free to go. I thank you for your attendance this morning. Would you watch the law list in the Courier Mail to see when you are next required.

Make the proclamation as to witnesses, please.

PROCLAMATION AS TO WITNESSES MADE

HER HONOUR: Place the accused in the charge of the jury.

DEFENDANT PLACED IN THE CHARGE OF THE JURY

HER HONOUR: Swear the bailiff, please.

BAILIFF SWORN

HER HONOUR: Ladies and gentlemen, I will tell you something more about our roles in this trial. From the outset, however, you should understand that you are judges in this trial. You are the sole judges of the facts. If there is going to be a dispute about some matter of fact, then it is for you and not me to resolve that dispute. My role in the trial is confined to matters of law. I tell you what the law is but you decide the case on the evidence. Your verdict in this case must be based only upon the evidence that you hear in this courtroom.

You have been asked by my Associate to select a foreperson. That person's role is to act as your spokesperson.

Ms Green, will you open your case, please.

MS GREEN OPENED THE CASE FOR THE CROWN

JANE JAYNE DOE, SWORN

[9.50 am]

EXAMINATION-IN-CHIEF BY MS TEMPLETON

Arraignment

When the indictment (charge) is read by the judicial officer's associate to the accused person(s), this is called the arraignment. When the accused is arraigned, he/she is asked how he/she pleads. This exchange between the associate and the accused should be transcribed verbatim, including false starts, wrong words, etcetera. Note that the accused is shown as DEFENDANT in the margin.

Previously pleaded

MR SMITH: Joe Bloggs is before the court, your Honour. There is an indictment presently before the court presented on the 10th of June 2018 charging him with nine offences of stealing to which he has pleaded not guilty.

Not guilty plea

ASSOCIATE: Joe Bloggs, you stand charged by that name that on the 18th day of February 2007, at Brisbane in the State of Queensland, you wilfully and unlawfully set fire to the dwelling house of Jane Doe. How say you, Joe Bloggs, are you guilty or not guilty?

DEFENDANT: Not guilty.

ASSOCIATE: Not guilty, your Honour.

Guilty plea

ASSOCIATE: Joe Bloggs, you stand charged by that name that on the 18th day of February 2007, at Brisbane in the State of Queensland, you wilfully and unlawfully set fire to the dwelling house of Jane Doe. How say you, Joe Bloggs, are you guilty or not guilty?

DEFENDANT: Guilty.

ASSOCIATE: Guilty, your Honour. Joe Bloggs, you have been convicted on your own confession of the offence of wilfully and unlawfully setting fire to a dwelling house. Have you anything to say why judgment should not be pronounced upon you according to law?

Bulk arraignments

Sometimes judicial officers or their associates abbreviate indictments containing multiple charges into short form. In these circumstances, transcribe the proceedings verbatim. For example:

ASSOCIATE: John Smith, you are charged with four counts of unlawful assault and five counts of breaking, entering and stealing. Are you guilty or not guilty?

DEFENDANT: Guilty.

Pleas by more than one defendant

ASSOCIATE: Joe Bloggs and John Smith, you stand charged that on the 8th day of September 2007, at Brisbane in the State of Queensland, you committed rape upon one Jane Doe. How say you, Joe Bloggs, are you guilty or not guilty?

DEFENDANT BLOGGS: Not guilty.

ASSOCIATE: Not guilty, your Honour. How say you, John Smith, are you guilty or not guilty?

DEFENDANT SMITH: Not guilty.

ASSOCIATE: Not guilty, your Honour. Joe Bloggs and John Smith, you stand further charged that at the time and place aforesaid you attempted to commit rape upon the said Jane Doe. How say you, Joe Bloggs, are you guilty or not guilty?

DEFENDANT BLOGGS: Guilty.

ASSOCIATE: Guilty, your Honour. How say you, John Smith, are you guilty or not guilty?

DEFENDANT SMITH: Guilty.

Bailiff sworn

This will usually occur during the part of the proceedings covered by Ellipsis and follows empanelment of the jury. This banner entry will only be transcribed if the Ellipsis, Jury Empanelment as an Extract or a full transcript is requested.

When a judicial officer directs the associate to swear in the bailiff, it is necessary only to show in the transcript (two lines either side):

BAILIFF SWORN

Defendant placed in the charge of the jury

This will usually occur during the part of the proceedings covered by Ellipsis and generally follows the bailiff being sworn. This banner entry will only be transcribed if the Ellipsis, Jury Empanelment as an Extract or a full transcript is requested.

When the judicial officer directs that the accused (defendant) be placed in the charge of the jury, it is necessary to only show in the transcript (two lines either side):

DEFENDANT PLACED IN THE CHARGE OF THE JURY

Proclamation as to witnesses made

This will usually occur during the part of the proceedings covered by Ellipsis and generally follows the defendant being placed in the charge of the jury. This banner entry will only be transcribed if the Ellipsis, Jury Empanelment as an Extract or a full transcript is requested.

This proclamation warns witnesses in the trial to remain out of the hearing of the court until they are called to give their evidence and is generally made by the bailiff. When the proclamation occurs, it is necessary only to show in the transcript (two lines either side):

PROCLAMATION AS TO WITNESSES MADE

Submission on sentence by Crown and Defence

After a defendant has pleaded guilty, submissions on sentence are delivered by both sides. No banner entry is needed and normal paragraphing applies.

If a defendant has pleaded not guilty and the trial has progressed to the point where a jury has delivered a guilty verdict, submissions on sentence that are delivered following the Verdict form part of a separate transcript. No banner entry is needed and normal paragraphing applies.

The defendant is asked whether he/she has anything to say in relation to the sentence to be imposed. This is called the allocutus. It forms part of the sentence submissions transcript.

If a victim impact statement is read out in court during submissions on sentence, type this in full.

This document will conclude with the **TAKE IN SENTENCE** banner.

Transcript example where an adjournment/resumption occurs prior to sentencing.

HER HONOUR: I will come back after I've had a quick look at the cases.

ADJOURNED

[2.46 pm]

RESUMED

[3.07 pm]

HER HONOUR: I've had an opportunity to read those three cases. Stand up, please, Mr Jones, we've just got to call upon you before I pass sentence.

ASSOCIATE: John Jones, you've been convicted of three counts of indecent treatment. Have you anything to say why sentence should not be passed upon you according to law?

DEFENDANT: No.

HER HONOUR: No.

TAKE IN SENTENCE

Sentences

In the main transcript, when the judicial officer commences the sentencing remarks, go down two clear lines and show at the margin:

TAKE IN SENTENCE

Sentences are transcribed in a separate document when ordered. Everything is transcribed in a sentencing document; the ellipsis is not used.

If the convicted person speaks, the correct designation is DEFENDANT.

Discussion between the judicial officer and counsel during a sentence is also transcribed in the sentence document.

When the judicial officer finishes sentencing the defendant, show this in the transcript by leaving two clear lines and then entering a short line in from the left margin.

I propose to fix your parole release after you have served a quarter of that period reflecting the very different personal circumstances involved in your matter as compared to your father's.

In all of the circumstances then, I sentence you to three years imprisonment in respect of the production offence. I impose no penalty in respect of the possession offence. I fix your parole release date as the 15th of February 2014. That is in nine months' time.

Summing up/Redirections

Not transcribed unless requested and transcribed in full except if names of jurors are called (see 3.7 – Ellipsis)

Transcript cover page will show a **SUMMING UP** banner and the transcript will be watermarked UNREVISED.

The judicial officer sums up to the jury after the closing addresses. In the trial transcript, show (two lines after last line of transcript text):

HER HONOUR: Thank you, Mr Smith.

TAKE IN SUMMING UP

In the normal course of events, after this banner nothing more is transcribed in the main transcript.

Summing up remarks by Judge are paragraphed.

on the day.

In addition to the summing up remarks by Judge, a Summing Up transcript will include all legal argument/discussion between Judge and counsel and all redirections (directions on law or discussion directly between Judge and Jury after jury has been sent out to deliberate) and all other discussion from the time the summing up commences until Court adjourns for the day or the jury returns with their verdict, whichever is first.

When commencing a Summing Up transcript there is no requirement for a time to be added to the initial summing-up banner as the cover page will state the time summing-up commenced; nor is there a requirement to commence the transcript with a **RESUMED** banner.

For example:

HIS HONOUR SUMMED UP TO THE JURY:

Members of the jury (etcetera)

Time notation after jury retires to consider its verdict

Upon summing-up concluding and the jury being sent out to commence their deliberations, ADJOURNED/RESUMED banners do not apply to the balance of the summing up/redirections transcripts (which may continue over several days). A [TIME] notation flush right will show adjournments and resumptions.

HIS HONOUR SUMMED UP TO THE JURY:

Members of the jury...

(at the conclusion leave two clear lines)

THE JURY RETIRED

[3.23 pm]

HIS HONOUR: Are there any requests for redirections?

MR JONES: No, your Honour.

MR SMITH: No.

HIS HONOUR: Very well. Adjourn the court.

[4.15 pm]

[4.45 pm]

HIS HONOUR: No notes from the jury, so I will call them back...

(transcript continues)

THE JURY RETURNED

[4.50 pm]

HIS HONOUR: Members of the jury, please return for 9.30am tomorrow to continue your deliberations. You may go with the Bailiff.

THE JURY RETIRED

[4.52 pm]

HIS HONOUR: Nothing further, Mr Smith? Mr Jones? All right. Adjourn the court.

[4.53 pm]

Normal **ADJOURNED/RESUMED** banners apply during summing-up

(summing up transcript)

We might adjourn for a short break.

ADJOURNED

[11.10 am]

RESUMED

[11.23 am]

HIS HONOUR CONTINUED SUMMING UP TO THE JURY:

Now, members of the jury, as I was saying before the break...

If the Judge is still summing-up at the conclusion of the day, show a **MATTER ADJOURNED UNTIL** banner

HIS HONOUR SUMMED UP TO THE JURY:

Members of the jury...

(at the conclusion leave two clear lines)

THE JURY RETIRED

[4.23 pm]

HIS HONOUR: Anything further?

MR JONES: No, your Honour.

MR SMITH: No.

HIS HONOUR: Very well, I will resume in the morning. Adjourn the court until 9.30am tomorrow.

MATTER ADJOURNED at 4.25 om UNTIL WEDNESDAY, 22 MAY 2023

If the summing up goes over more than one day, the resumption banner will apply. There is no requirement to show a time in the Summing Up banner.

RESUMED

[9.30 am]

HIS HONOUR CONTINUED SUMMING UP TO THE JURY:

Members of the jury...

Should the jury have commenced deliberations and previous day's Summing Up transcript concluded with a **[TIME]** banner, the next day's transcript will commence with a **[TIME]** banner.

[10.07 am]

HER HONOUR: Good morning. I have a note from the jury.

(transcript continues)

HER HONOUR: We'll have the jury back, please.

THE JURY RETURNED

[10.15 am]

HER HONOUR: Members of the jury...

(transcript continues)

THE JURY RETIRED

[10.30 am]

HER HONOUR: Anything further?

MR BROWN: Nothing from me, your Honour.

HER HONOUR: Thank you. Okay. We'll adjourn.

[10.32 am]

Footer for Summing-Up

A footer (right hand flush) will show on relevant pages of a summing-up transcript where the Judge is actually summing-up to the jury.

For example:

(Summing-up)		
(blank)	1-7	SUMMING-UP

Redirections

Applications for redirections and the redirections to the jury by the Judge are transcribed within the overall summing-up transcript of the day.

Should the transcript contain Redirections *only* (this is quote common for matters where the jury is deliberating over several days after summing-up), transcripts will still show an UNREVISED watermark and may show a **REDIRECTIONS** banner on the cover page.

THE JURY RETIRED	[3.49 pm]
MR BROWN: I ask for the following redirections...	
MR SMITH: I submit that....	
HIS HONOUR: I shall redirect on the first point.	
THE JURY RETURNED	[4.01 pm]
HIS HONOUR: Members of the jury..	
THE JURY RETIRED	[4.40 pm]
HIS HONOUR; Thank you. Mr Bailiff, adjourn the court.	
	[4.41 pm]

Footer for Redirections

A footer (right hand flush) will show on relevant pages of a summing-up transcript where the Judge is actually provided redirections to the jury,

For example:

(Redirections to jury)		
(blank)	1-7	REDIRECTIONS

Summary Charges

If an accused person is before a higher court charged on indictment, the Crown may also ask the court to deal with other charges which would ordinarily be dealt with summarily by a Magistrate - that is, minor matters which would not come before a higher court.

For convenience, and so that the accused may be dealt with on one occasion, the higher court deals with the indictable offences and the summary offences at the same time.

Example of indictments and summary charges being heard in a higher court

MR JONES: Your Honour, there are four matters to be dealt with this morning. There is already a two-count indictment before the court charging the accused with false pretences. I present a further ex officio indictment of 30 counts, relating mainly to property offences. There are some summary matters, too.

MR BROWN: I have taken my client through every one of the 30 counts, and if your Honour wishes he can be arraigned on the whole indictment. There is also before your Honour an application to transmit summary charges, signed by my client.

HIS HONOUR: We will bulk arraign on the indictable offences and then read the other charges.

ASSOCIATE: Joe Bloggs, have you read each of the counts contained in the indictment numbered 1693 of 1997 and the ex officio indictment presented today?

DEFENDANT: Yes.

ASSOCIATE: Joe Bloggs, have you fully understood...

DEFENDANT: Yes.

ASSOCIATE: Are you prepared to plead to the counts contained in those indictments without each separate count being read individually to you?

DEFENDANT: Yes.

ASSOCIATE: Joe Bloggs, in respect of each count on the ex officio indictment presented today and indictment number 1692 of 2012, how do you plead: guilty or not guilty?

DEFENDANT: Guilty

(The associate now reads out the summary charges. Transcribe verbatim)

DEFENDANT: Guilty.

Criminal Trial – Judge only

A criminal trial can occur with a judge only, ie, with no jury. The same evidence-only criminal principles apply. However, there will be no entry of **JURY EMPANELLED** or **DEFENDANT PLACED IN THE CHARGE OF THE JURY**. There will also be no summing up.

At the end of the trial, the judicial officer delivers a Judgment, as opposed to a verdict. This is still typed as a separate document.

Orders in criminal matters

Include minor orders (for example a nolle prosequi or bench warrant) verbatim in the main transcript.

Pre-Recorded Evidence

Under the *Evidence (Protection of Children) Amendment Act* the evidence of a child, generally referred to as affected child, can be taken at a preliminary hearing normally before a District Court judge. (*Pre-recorded evidence may also be taken in committal proceedings before a magistrate.*)

The proceedings are videotaped by the bailiff and then edited prior to being played during the trial.

During a trial, pre-recorded evidence may be played to the court. When this occurs, enter one of the following banners:

RECORDING PLAYED

EXHIBIT #1 PLAYED (Only if certain a specific Exhibit is being played)

MFI #A PLAYED (Only if certain a specific MFI is being played)

These banners replace the content of the recording. A transcript of the pre-recorded evidence will have been provided to the court at an earlier stage and may also be distributed to the jury as an aid. It is therefore not necessary to re-transcribe any of it.

If a transcript of pre-recorded evidence is read to the jury, and if it is identified as having an exhibit number, show this as:

EXHIBIT #1 READ TO THE JURY

OR

MFI #A READ TO THE JURY

If it is not identified as an exhibit, then use this wording:

TRANSCRIPT READ TO THE JURY

Supreme and District Courts – civil and appellate

At the beginning of a civil trial

All civil trials and hearings in all jurisdictions are transcribed in full.

Civil Juries

On occasion a civil trial may be heard before a jury, usually of four people.

Note: The jury empanelment and other events covered by the Ellipsis portion of a criminal trial transcript are transcribed in full should a civil trial be heard before a jury.

Summing up and Redirections – Civil

Same instructions as for Supreme and District Court Criminal.

Jury's decision/Verdict – Civil

Same instructions as for Supreme and District Court Criminal.

Judgments

In Judge-alone Civil trials/hearings, the Judge will deliver their reasons and determination as a Judgment, which is not included in the main trial/hearing transcript. Generally a Judgment is delivered some time after the trial/hearing and the main trial/hearing transcript will conclude with a short line flush left.

However, should Judge deliver their Judgment ex-tempore immediately following the conclusion of the trial/hearing, show two clear lines below last line of transcript:

TAKE IN JUDGMENT

Judgments are revised by the judicial officer.

Discussion during judgment

Discussion that transpires after delivery of the judgment forms part of the judgment transcript (except Costs discussion, see below). This rule applies to criminal jurisdictions as well.

Costs in a judgment or order document

Discussion relating to costs following the reasons/judgment is not transcribed.

Show Ellipsis at the margin (two lines either side) to indicate omission of material and transcribe the judicial officer's order relating to costs.

Example:

For those reasons, I will refuse the application for a stay.

...

HIS HONOUR: I order that the defendant pay the plaintiff's costs of and incidental to this application, to be taxed.

Note: if costs are discussed during the course of the hearing, ie, not during the giving of orders or judgment, these are typed and included in the transcript.

Note: should a full transcript of the hearing portion of the matter be requested, the portion relating to costs should be included in the main transcript.

In these instances the hearing transcript would read:

(transcript)

TAKE IN JUDGMENT (separate transcript)

(costs discussion)

TAKE IN JUDGMENT (text in Judgment where Judge delivers costs orders)

End of judgment

Come down two clear lines and enter a short line in from the left margin to note end of judgment.

Oral Examination – Civil

Oral examinations are neither restricted nor in-camera.

They are only transcribed if requested.

Orders

If any order is delivered during the hearing, this is typed as a separate document when requested. In the main transcript, type **TAKE IN ORDER**, with two clear lines either side.

Simple orders in relation to adjourning or directions, nolle prosequie or bench warrants can stay in the main transcript.

When typing an order as a separate document, conclude with a short line in from the left margin.

Taxing Officer

When a civil action is concluded, it is often ordered that the costs of the parties be taxed. This means assessed by an assessor (taxing officer) in the court registry.

A bill of costs is drawn up, and the parties' lawyers attend upon the taxing officer to call evidence and/or argue their case as to who should be responsible for certain costs and the dollar value of the costs.

The officers who perform this function will have the title Taxing Officer or Deputy Taxing Officer.

Designation at the margin:

TAXING OFFICER:

D TAXING OFFICER:

Childrens Court of Queensland

The Childrens Court of Queensland (CCJ) is presided over by judges of the District Court. Childrens Court of Queensland matters before a judge (CCJ) are restricted.

CCJ trials will usually be conducted in the same manner as a criminal jurisdiction trial in the District Court (including empanelment, addresses, etcetera).

The court is presided over by a District Court Judge sitting as the president. The current president of the Childrens Court of Queensland (since 17 December 2018) is her Honour Judge Richards

On the cover page show	JUDGE RICHARDS, President
In the margin show	THE PRESIDENT:
In the header show	Richards P

For all other judges of the Childrens Court of Queensland show HIS/HER HONOUR in the margin and follow general Supreme&District Court F&S layout for cover page and headers except:

- Cover page to show **CHILDRENS COURT OF QUEENSLAND**
- Cover page does not show a jurisdiction (eg, CRIMINAL JURISDICTION etcetera)

Whenever the child speaks during the proceedings, he/she will be referred to as:

DEFENDANT:

Judgments and sentences

When a Childrens Court judge conducts a trial of a juvenile who pleads not guilty, the judge delivers a verdict and gives reasons.

This verdict and reasons are titled JUDGMENT and form a separate revisable transcript and the main trial transcript will conclude with a **TAKE IN JUDGMENT** banner.

If the Judge directs that a subheading should be inserted when delivering judgment remarks, these are underlined and form the first word(s) of a paragraph. This layout is specific to Childrens Court judgment documents.

HIS HONOUR: This is an application (etcetera)

Background: The facts which were placed before the learned Magistrate by the Prosecutor consistent with the Queensland Police Service (QPS) court brief which forms part of the evidence before me is that on 23 November 2012 police were called to investigate the theft between 11 and 12 November 2012 of a BMX bike.

The JUDGMENT transcript concludes with a short line, flush left, two carriage returns under the last line of text.

Sentencing remarks and sentence following a Judgment are separate transcripts.



Childrens Court Sentence Review

The Childrens Court (before a Judge) will hear sentence reviews, which are appeals of decisions from the CCM, similar to what occurs for section 222 appeals of Magistrates Court decisions heard in the District Court.

Normal CCJ style and formatting applies to sentence review submissions and order transcripts.

The following transcript types are used for CCJ sentence reviews:

For submissions/legal argument prior to the Judge delivering reasons/orders: SENTENCE SUBMISSIONS

For reasons/orders following submissions: ORDER

Note: Order transcripts will almost always commence with the wording: “This is an application for sentence review...”

If sentencing follows immediately after submissions, the submissions transcript will conclude with a **TAKE IN ORDER** banner.

Order transcripts are revisable.

Magistrates Court

In a civil action, the plaintiff brings the defendant to court for the matter to be dealt with.

In a civil action, if the plaintiff is a company, the representative appearing for that company is put in the margin by name.

In domestic violence matters, the parties are called AGGRIEVED and RESPONDENT.

The judicial officer is entered as HIS/HER HONOUR: in the margin.

Judicial and counsel designations at the margin

HIS/HER HONOUR:	For all Magistrates including the Chief Magistrate
REGISTRAR:	
COURT SERVICES OFFICER:	assists the Magistrate with witness matters, announces start/end of sessions, etcetera
BRIL JP:	
JUSTICE OF THE PEACE 1:	If there are two justices of the peace and both names are <u>not</u> known
JUSTICE OF THE PEACE 2:	
ENFORCEMENT DEBTOR:	
MR TOWNSLEY:	As counsel for complainant as prosecutor
SGT CONNORS:	As a police officer for complainant Crown as prosecutor
SNR SGT CONNORS:	(for a senior sergeant)
A/SNR SGT CONNORS:	(for an acting senior sergeant)
CONST CONNORS:	(for a constable)
SNR CONST ANDREWS:	(for a senior constable) As complainant Crown as prosecutor
A/SNR CONST CONNORS:	(for an acting senior constable)
OFFICER CONNORS:	If the rank is unknown
Note: police titles in banner entries	Police title abbreviations must be retained in banner entries. Eg:

**EXAMINATION-IN-CHIEF BY CONST SMITH
RE-EXAMINATION BY A/SNR CONST JONES**

Non-counsel party

Non-counsel parties are usually put in the margin according to their role in the matter, as opposed to using their name. For example:

DEFENDANT: *(criminal matters)*

PLAINTIFF: *(party bringing the matter in both civil and criminal jurisdictions)*

APPLICANT: *(civil matters)*

RESPONDENT: *(civil matters)*

AGGRIEVED: *(domestic violence matter)*

MR SURNAME/MS SURNAME: *(only used if the self-rep appears as a representative of a company).*



For example: in a matter of Brisbane City Council v John Smith Proprietary Limited
MR SMITH: *(representing the company)*

But in a matter of Brisbane City Council v John Smith
RESPONDENT: *(Mr Smith appears for himself as respondent)*

Childrens Court

All Childrens Court matters before a Magistrate (CCM) are heard in closed court and will show a RESTRICTED watermark.

The CCM margin entry for the judicial officer is HIS/HER HONOUR:

Designations in Childrens Court

HIS/HER HONOUR:
SNR CONST SMITH:
DEFENDANT:

Application for Child Protection Order

Designations in the margin:

APPLICANT:
RESPONDENT:

Decisions

Decision format is not used when a magistrate is committing a person for trial or sentencing in Supreme or District Court as the committal (or non-committal) decision is included in the overall committal transcript.

A Magistrates Court Decision is the equivalent of a judgment or sentence in the Supreme and District Courts.

Any discussion on costs is excluded during a civil matter decision and the ellipsis is used to show that missed content.

In criminal matter decisions no content is omitted.

Decisions are typed in a separate document and returned to the requestor. Decisions are revisable by the magistrate but are not provided for revision as a matter of course.

In the main transcript of proceedings, when the magistrate commences giving the decision, two clear line spaces below the last line of text show:

TAKE IN DECISION

Discussion relating to costs in civil matters following the reasons/decision is not transcribed. Show Ellipsis at the margin two clear lines below the decision text to indicate omission of material. Then two clear lines below the ellipsis transcribe the magistrate's order relating to costs.

For those reasons, I will refuse the application for a stay.

...

HER HONOUR: I order that the defendant pay the plaintiff's costs of and incidental to this application, to be taxed.

Note: should a full transcript of the hearing portion of the matter be requested, the portion relating to costs should be included in the main transcript.

Orders that occur in a decision are typed as part of the decision document. Lay them out as said by the speaker. Unless otherwise stated, normal paragraphing will apply.

Quotations in decision

Include in full in the transcript and transcribe verbatim.

Indent and italicise where applicable.

End of decision

Come down two clear lines and use a short line in from the left margin note end of decision.

Footer for Decision

A footer (right hand flush) will show on any Decision transcript, regardless of jurisdiction:

For example:

(transcript)

(blank)

1-7

DECISION

Not to be recorded

Sometimes a Magistrate will indicate that a section of proceedings is not to be recorded. This direction is to be followed. Show as:

RECORDING CEASED AT THE DIRECTION OF HIS/HER HONOUR [3.21 pm]

RECORDING RESUMED AT THE DIRECTION OF HIS/HER HONOUR [3.41 pm]

Example of Magistrates Court committal transcript

HIS/HER HONOUR: I'll take the matter of Mackay file 120 of 2015. One matter against [name]. A charge that on the 14th day of March 2003 at Mackay in the State of Queensland, one [name] unlawfully had possession of a dangerous drug, namely, methylamphetamine, and it is further alleged that the said dangerous drug was a thing specified in schedule 1 of the Drugs Misuse Regulation of 1987, and the quantity of the thing exceeded the quantity specified in schedule 2 of the Drugs Misuse Regulation of 1987, but was less than the quantity specified in schedule 4 of the Drugs Regulation of 1987. Can I have your appearances, please.

A/SNR CONST GORMLEY: Good morning, your Honour. I appear for the prosecution. My name is Gormley, Acting Senior Constable.

HIS/HER HONOUR: Thank you.

MR ABERDEEN: Good morning, your Honour. My name is Aberdeen, of Smith and Jones, solicitors, and I appear for the defendant in the matter.

HIS/HER HONOUR: Thank you, Mr Aberdeen. Yes.

A/SNR CONST GORMLEY: Your Honour, I make application for this matter to proceed pursuant to section 110A of the Justices Act. Subsection (5) has been complied with. I understand that this is by consent.

MR ABERDEEN: By consent, your Honour.

HIS/HER HONOUR: Yes, leave's granted.

A/SNR CONST GORMLEY: Your Honour, I tender the statements in bulk and read the names into the record. Your Honour, I tender a statement under the hand of Joe John Bloggs, a statement under the hand of John Smith, a statement under the hand of Peter Peterson, and an addendum statement under the hand of Joe John Bloggs.

HIS/HER HONOUR: Yes. Those statements will be admitted under the provisions of section 110A.

A/SNR CONST GORMLEY: Your Honour, by way of exhibit, I tender a series of 17 photographs.

HIS/HER HONOUR: The photographs will be admitted and marked exhibit 1.

EXHIBIT #1 ADMITTED AND MARKED

A/SNR CONST GORMLEY: Your Honour, I understand three witnesses will be required for examination. Your Honour, I call Joe John Bloggs.

JOE JOHN BLOGGS, SWORN

[9.30 am]

EXAMINATION-IN-CHIEF BY A/SNR CONST GORMLEY

A/SNR CONST GORMLEY: Can you state your full name, rank and station?---Full name is Joe John Bloggs. Currently, I am an acting senior constable stationed at Gladstone Station.

Have you provided two statements in relation to this matter?---That is correct.

Your Honour, may the witness be shown his statements?

CROSS-EXAMINATION BY MR ABERDEEN

[9.33 am]

MR ABERDEEN: Constable, were the bag - I am sorry. I didn't hear you ask there about the black bag which was allegedly found in Ms Miller's - the back of her belt or something?---No.

A/SNR CONST GORMLEY: Your Honour, that is the case for the prosecution.

MR ABERDEEN: Yes, thank you, your Honour. I concede a prima facie case without the necessity for your Honour to consider the material placed before you.

HIS/HER HONOUR: If you'd just stand up for a minute, please. In accordance with the provisions of section 110A(6) of the Justices Act, and with Mr Aberdeen consenting to you being committed for trial without me considering the contents of the statements, [name], you are formally charged that on the 14th day of March, 2003, at Mackay in the State of Queensland, you unlawfully had possession of a dangerous drug, namely, methylamphetamine, and it is further alleged that the said dangerous drug was the thing specified in schedule 1 of the Drugs Misuse Regulation of 1987, and the quantity of the thing exceeded the quantity specified in the schedule 3 of the Drugs

Misuse Regulation of 1987, but less than the quantity specified in schedule 4 of the Drugs Regulation of 1987.

You will have an opportunity to give evidence on oath before me and to call witnesses, but first I am going to ask you whether you wish to say anything in answer to the charge. You

need not say anything unless you wish to do so, and you are not obliged to enter any plea. You have nothing to hope from any promise and nothing to fear from any threat that may have been held out to induce you to make any admission or confession of guilt. Anything you say will be taken down and may be given in evidence at your trial. Do you wish to say anything in answer to the charge or enter any plea?

DEFENDANT: No.

HIS/HER HONOUR: You will be committed for trial to the Supreme Court to be held at Mackay on a date to be notified to you by the Director of Public Prosecutions.

You will be allowed bail but it will be conditioned that you reside at [an address], or such other address as advised to the Officer-in-Charge of Police at Mackay, at least 48 hours prior to the change. The exhibits can remain with the file.

If you wish to adduce any evidence of alibi which Mr Aberdeen will explain to you, there is a requirement that notification in writing has to be given to the Director of Prosecutions 14 days beforehand. That concludes that matter.

Public examination

A public examination certification/attestation clause should be included as part of the transcript.

Witnesses are not cross-examined in public examinations.

Stage of examination is shown by EXAMINATION BY banner with two clear lines either side.

End of proceedings is shown by a short line in from the left margin.

Transcript sample

HIS/HER HONOUR: An application for an examination. The applicant is John Smith as liquidator.

MR BROWN: Yes, your Honour.

HIS/HER HONOUR: Yes.

MR B. BROWN: My name is Brown, B-r-o-w-n, initial B., instructed by Legal Lawyers. I don't think there are any other preliminaries, I would ask Mr Green to step into the box.

GEORGE GREEN, SWORN

[11.22 am]

EXAMINATION BY MR BROWN

MR BROWN: Thank you, your Honour.

Now, Mr Green, your full name is George Green?---George Green. That is correct.

Certification/attestation clause on the last page of evidence of each witness. Please complete information within the clause highlighted **BOLD**..

The foregoing pages, __ to __ inclusive, were read by me on **(DD Month YYYY)** and I certify to the accuracy of the transcript of the evidence given by me at **(Location)** before **(Magistrate + Surname)** on **(DD Month YYYY)**

.....
(Full Name of Witness)

Example of Certification/attestation clause

(XN transcript)

MR SMITH: Nothing further, your Honour. May Mr Jones be excused.

HIS HONOUR: Yes. You're excused Mr Jones.

WITNESS EXCUSED

[11.30 am]

The foregoing pages, 16 to 23 inclusive, were read by me on 20 October 2020 and I certify to the accuracy of the transcript of the evidence given by me at Brisbane before Magistrate Smith on 20 October 2020.

(signature of witness)

(John Jones)

(transcript continues on next page)

Enforcement hearings

Stage of examination is shown by EXAMINATION BY banner for each person examining the witness.

Show two clear lines before a new counsel commences their examination.

Voir Dire

Voir Dire is not applicable to Magistrates Court transcripts: use general evidence banners always.

Section 222 appeal or appeal against a Magistrates Court Decision

When a Magistrate determines an action in the Magistrates Court, the decision is subject to appeal under section 222 of the Justices Act 1886.

Such appeal is usually brought before a District Court judge sitting alone in appellate jurisdiction.

Discussion in relation to costs appears as part of the main transcript, if ordered by the client.

Costs discussion would be shown by Ellipsis in the order or judgment transcript.

Margin entries

If the defendant in the original proceeding is appealing the decision, they appear in the margin as APPELLANT, whether they are self-represented or represented.

If the defendant in the original proceeding is the respondent in the appeal, they appear in the margin as RESPONDENT, whether they are self-represented or represented.

The Coroners Court of Queensland

- The first stage of examination is examination-in-chief. If questioning continues from other counsel or next of kin, use EXAMINATION BY banner.
- **No** cross-examination or re-examination occurs in Coronial proceedings. The only stage of examination for a witness is EXAMINATION BY.
- The only stage of evidence in footers should be XN.
- Questions by counsel or next of kin start by showing the questioner's name in the margin.
- Once a witness has been sworn/affirmed and the initial witness event banner has been entered, the first stage of examination banner entry will always be examination-in-chief. If questions are asked by other counsel or next of kin, the applicable banner entry should be EXAMINATION BY:

JOHN SMITH, AFFIRMED

[9.46 am]

EXAMINATION-IN-CHIEF BY MS GREEN

MS GREEN: Are you able to tell the court your full name and current occupation, please?---My name John Smith. I'm retired now. I do some private consulting work.

Remainder of examination by Ms Green continues here.

Thank you, your Honour, that's all I have.

CORONER: Yes. Thanks, Ms White. Thank you.

EXAMINATION BY MS WHITE

[10.41 am]

MS WHITE: Good morning, Mr Smith, I'm Wendy White, Bill's partner.

Normal adjournment / resumption banners apply during proceedings.

Designations

STATE CORONER:

DEPUTY STATE CORONER:

CORONER:

SNR CONST SMITH: *(eg, police officer assisting the coroner)*

Inquest Findings

Similar to a Decision in Magistrates Court, Findings are transcribed as a separate revisable transcript to the main Inquest transcript.

It is very unusual for a Coroner to deliver Findings immediately at the conclusion of an Inquest and Findings are generally delivered as a stand-alone event some time after the Inquest concludes.

However, should Findings be delivered at the conclusion of the Inquest, show in the Inquest transcript two clear lines below the preceding line of text, show:

TAKE IN FINDINGS

If there is a committal to trial, transcribe this as part of the findings.

If a rider is added by the coroner after his findings, it is to be typed on a new page.

Footer for Findings

A footer (right hand flush) will show on a Findings transcript:

For example:

(transcript)

(blank)

1-7

FINDINGS

Court of Appeal

Determines appeals which arise from actions in the Supreme and District Courts.

Margin Designations

The Chief Justice THE CHIEF JUSTICE:

The president of the COA THE PRESIDENT:

Judges of the Court of Appeal: FRASER JA:
 DALTON JA:
 MORRISON JA:
 BOND JA
 McMURDO JA:

Queensland Courts link to current Judges of the Court of Appeal

A judicial officer sitting alone Use their title or name
in the Court of Appeal (*do not use his or her Honour*)

For example: THE PRESIDENT
 or JERRARD JA
 or APPLEGARTH J

Note: A. LYONS SJA:

Self-represented appellants APPELLANT:
Self-represented respondents RESPONDENT:

If more than one self-rep appellant or respondent appears, include their surname:

APPELLANT SMITH:
RESPONDENT SMITH:

Note: *in a matter which has more than one respondent listed as a party but only one respondent appears in court, use this entry*

Information regarding matter name, file number, appearances etc can be determined from the matter Dataset document provided by Associates when placing transcript requests.

Ex tempore judgments and orders

Transcribed as per other judgments and orders.

Court of Appeal case names

Queensland Court of Appeal cases are to be written with the year in square brackets. Refer to section Authorities and Cited Case References for examples.

Judgments (listed as a stand-alone matter)

All COA judgments will be revised by the COA Research Officer in conjunction with the Associate. DJAG will facilitate this process.

Suppressed names on heading pages and in transcript

Suppression orders for a matter might be in force due to legislation and/or specific requests to the court.

Generally, a Suppression Order is in force for release of transcript to non-parties (eg, the media) whereby identifying details of complainants, defendants or witnesses are to be REDACTED from the transcript prior to distribution to a non-party.

In such instances, DJAG will affect redaction of transcript.

While COA transcripts are generated verbatim, should a Suppression Order be in force regarding specific information contained within a transcript (eg, the name of a witness in the previous trial proceedings is not to appear in the appeal hearing transcript), there may be instances where TSPs directly receive advice from an Associate or RTS as to how relevant information is to appear in the transcript while the matter is being recorded/when the request is submitted/a transcript is in production. For example, Judge might direct a person's name to be replaced with "Wit" or their initials only and the transcript will be generated produced accordingly

If initials or acronyms are spoken during the matter, transcribe verbatim:

The complainant S said to the appellant J...

LEP1 said to the defendant...

Appeals involving juvenile offenders may listed with the defendant's name suppressed and the listings information will be anonymised. For example: R v AB

Transcripts for anonymised listings should be generated verbatim (per information from the matter's Dataset document) unless advice is received from Associate/RTS during recording, when placing the transcript request or during production.

Drug Court

Transcribe Drug Court matters in the same manner as Magistrates Court.

Foreign courts – evidence

Transcripts of evidence taken for foreign courts are usually short (less than half a day) and usually with a prepared series of questions to the witness. Transcript is required on an URGENT basis (absolutely as soon as possible) as the witness cannot leave the courthouse until they have read and signed the certification/attestation clause on the last page of their evidence.

Transcribe in Magistrates Court style.

Cover page example:

O'DONNELL, Magistrate

**IN THE MATTER OF AN EXAMINATION OF
A WITNESS FOR THE UNITED STATES FEDERAL
DISTRICT COURT, HONOLULU**

BRISBANE

DATE 29/01/2005

DAY 1

Certification/attestation clause on the last page of evidence of a witness. Please complete information within the clause highlighted **BOLD**..

The foregoing pages, __ to __ inclusive, were read by me on (**DD Month YYYY**) and I certify to the accuracy of the transcript of the evidence given by me at (**Location**) before (**Magistrate + Surname**) on (**DD Month YYYY**)

.....
(**Full Name of Witness**)

Example of Certification/attestation clause

(XN transcript)

MR SMITH: Nothing further, your Honour. May Mr Jones be excused.

HIS HONOUR: Yes. You're excused Mr Jones.

WITNESS EXCUSED

[11.30 am]

The foregoing pages, 16 to 23 inclusive, were read by me on 20 October 2020 and I certify to the accuracy of the transcript of the evidence given by me at Brisbane before Magistrate Smith on 20 October 2020.

(signature of witness)
(John Jones)

(transcript continues on next page)

Land Court and Land Appeal Court

Cover page entry	Margin Designator	Header entry
F Y KINGHAM (PRESIDENT)	KINGHAM P	Kingham, President
P G STILGOE OAM (ACTING PRESIDENT)	STILGOE AP	Stilgoe OAM, Acting President
W A ISDALE (MEMBER)	ISDALE M	Isdale, Member
P G STILGOE OAM (MEMBER)	STILGOE M	Stilgoe OAM, Member
J R McNAMARA (MEMBER)	McNAMARA M	McNamara, Member
G J SMITH (JUDICIAL REGISTRAR)	SMITH JR	Smith, Judicial Registrar

Transcripts are prepared on request.

If a self-represented applicant (or applicants) is sworn in for the purposes of telling the truth, use normal witness event banner for sworn/affirmed. If they remain at the bar table to provide their evidence or submissions, follow with wall to wall layout with the following in the margin:

APPLICANT: *(when only one self-rep applicant appears in a matter)*

APPLICANT SMITH: *(ie, applicant's surname if more than one applicant)*

If evidence or submissions are provided at this point, these can be paragraphed.

Judgments

Decisions in Land Court and Land Appeal Court are termed Judgments. These are typed as a separate document and the banner **TAKE IN JUDGMENT** should be entered at the conclusion of the hearing transcript.

Footer for Land Court Judgment

A footer (right hand flush) will show on the transcript:

For example:

(transcript)		
(blank)	1-7	JUDGMENT

Land Appeal Court

Full Bench Margin Entries

District	Cover page entry	Margin Designator	Header entry
	NOTE: Cover page would also show President and Members per above	NOTE: Margin designators per above apply as required	NOTE: Justice only in header
Southern	BODDICE J	BODDICE J	Boddice J
Northern	NORTH J	NORTH J	North J
Far Northern	HENRY J	HENRY J	Henry J
Central	CROW J	CROW J	Crow J

Note: ABORIGINAL LAND TRIBUNAL matters are heard within Land Court jurisdiction. Tribunal transcripts would follow Land Court/Land Appeal Court format and style, per above

Mental Health Court

MHC is presided by Supreme Court judge and, for hearing matters, two persons with medical qualifications, usually psychiatrists.

MHC holds a callover of future sittings once a month, generally on a Monday early in the month. Callover matters are short and general HEARING transcript is produced for each matter. Callover matters are heard by a Judge only.

MHC then has a sitting week later in the month when formal hearing matters are scheduled. Hearings generally comprise of submissions from counsel (there may be several counsel, each representing the different parties to the matter) and might also include evidence from expert medical witnesses. This portion of proceedings will be transcribed as a general HEARING transcript.

Following submissions/evidence, the Judge will generally deliver ex tempore REASONS FOR FINDINGS (RFF), which are generated as a separate revisable transcript. There may be occasions when the Judge will reserve their reasons and return at a later date in the sittings schedule and deliver RFF separately.

General MHC style:

- Regardless of whether a Reference (Defendant), Appeal (Appellant) or Application (Applicant) matter, should the defendant/appellant/applicant speak, show DEFENDANT in the margin.
- Other Margin designators:
 - HIS/HER HONOUR for Judge
 - DR (SURNAME) for assisting Psychiatrist
- Witnesses may be Sworn or Affirmed.
- The only stage of examination for a witness is EXAMINATION BY.
- The only stage of evidence in footers should be XN.

Note: there is no banner entry if the Judge examines a witness during evidence. Should examination by Judge continue for more than a page of transcript, the footer would just show the name of the witness per footer format for when a witness is CALLED, eg:

(transcript)		
(blank)	1-7	WIT: SURNAME A B

Mental Health Court Cover Page layout

All MHC transcript cover pages will show the following banner on the cover page two carriage returns under the **DAY** banner:

RESTRICTED ACCESS TRANSCRIPT

General hearing transcripts will show a RESTRICTED watermark on each page of transcript including the cover page.

MHC matters are heard as:

- References
- Appeals
- Applications (very infrequent)

The cover page for each type of matter is consistent with only the party details changing.

Some information to assist with generating MHC cover pages is provided per the Court Event List information accessible via the Transcript/Monitoring & Annotation tasks, however, most information will be provided on the various listings documents generated by the Mental Health Court Registry and attached to the relevant Court Event Listings in QTranscripts by Associates.

Callover matters

Information regarding callover matters can be found on the *Mental Health Court – Mention Schedule* document including:

- Persons Named column
 - Name of Defendant
 - Court Proceeding Number (generally under both the Defendant's name and their date of birth in the format YY/XXXX, which would show on the cover page as: **Court Proceeding No XXXX of YYYY**)
- Proceeding Type column
 - Application and Reference
 - Check the *Legal Representation* column
 - If Self-Represented, the cover page will show:
 - **REFERENCE IN RESPECT OF (DEFENDANT'S NAME)**
 - If a legal firm, including LAQ, is listed, the cover page will show:
 - **REFERENCE BY THE DEFENDANT'S LEGAL REPRESENTATIVE IN RESPECT OF (DEFENDANT'S NAME)**
 - TA Appeal or TO Appeal
 - All appeal matters show the **APPEAL BY THE MENTAL HEALTH REVIEW TRIBUNAL** banner on the transcript cover page
 - The Appellant will always be the Defendant
 - The Respondent by Election will always be The Office of the Chief Psychiatrist



Example of a Callover transcript cover page where the *Mental Health Court – Mention Schedule* shows *Proceeding Type* as APPEAL

MENTAL HEALTH COURT

FLANAGAN J

Court Proceeding No 0001 of 2020

APPEAL FROM MENTAL HEALTH REVIEW TRIBUNAL

JILL SMITH

Appellant

OFFICE OF THE CHIEF PSYCHIATRIST

Respondent by Election

BRISBANE

9.04 AM, MONDAY, 28 SEPTEMBER 2020

DAY 1

RESTRICTED ACCESS TRANSCRIPT



Example of a Callover transcript cover page where the *Mental Health Court – Mention Schedule* shows *Proceeding Type* as APPLICATION and *Legal Representation* is Self-represented

MENTAL HEALTH COURT

WILSON J

Court Proceeding No 0123 of 2019

REFERENCE IN RESPECT OF JAMES SMITH

BRISBANE

2.32 PM, MONDAY, 12 OCTOBER 2020

DAY 1

RESTRICTED ACCESS TRANSCRIPT



Example of a Callover transcript cover page where the *Mental Health Court – Mention Schedule* shows *Proceeding Type* as REFERENCE and *Legal Representation* is a Legal firm/LAQ

MENTAL HEALTH COURT

WILSON J

Court Proceeding No 0123 of 2019

**REFERENCE BY THE DEFENDANT’S LEGAL REPRESENTATION
IN RESPECT OF JAMES SMITH**

BRISBANE

2.32 PM, MONDAY, 12 OCTOBER 2020

DAY 1

RESTRICTED ACCESS TRANSCRIPT

Hearing matters

Hearing matters will generally comprise of submissions/evidence (the HEARING transcript) followed by ex tempore reasons and decision by the Judge (the REASONS FOR FINDING TRANSCRIPT).

Cover pages for HEARING and RFF transcripts are consistent except the RFF transcript will show the banner **REASONS FOR FINDING** two returns under the **DATE** banner and two returns above the **RESTRICTED ACCESS TRANSCRIPT** banner and all RFF pages will be watermarked UNREVISED/RESTRICTED.

Information regarding Hearing matters can be found on the *Mental Health Court – Sittings Schedule* document (outlining all matters for the day) and the matter-specific *Exhibit List (references)* document.

HEARING/RFF transcript cover pages are essentially the same as callover transcript cover pages except:

- The names of the Assisting Clinicians for all matters appear on the *Sittings Schedule* document underneath the name of the Judge
 - Clinician names appear in DR SURNAME CHRISTIAN NAME on the Schedule but appear as **DR SURNAME** on the transcript cover page

Other information for transcript cover pages includes:

- Court Proceeding Number can be found in the top right-hand corner of the relevant *Exhibit List* document for the matter
- Confirmation whether the matter is an Application, Appeal or Reference can be found on the *Exhibit List* document under the *Index* heading with *Section 3 – Schedule of Exhibits*:
 - For Appeal/Application matters, the header “Appeal/Application” is immediately under the *Index* header
 - The next line item will show “Appeal/Application by (defendant) dated (date), filed (date) to confirm the matter is either an appeal or an application
 - The general Appeal transcript cover page style is to be followed with “Appellant/Applicant” showing against the Defendant’s name

- For Reference matters, the header “Reference” is immediately under the *Index* header
 - The next line items will show “Amended Reference etc” or “Reference by etc” to confirm the matter is a reference
 - The general Reference transcript cover page style is to be followed
 - References may be by:
 - A legal firm/LAQ (show as DEFENDANT’S LEGAL REPRESENTATION)
 - A self-represented defendant
 - Very infrequent
 - ODPP (show as THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS)
 - Very infrequent
 - Attorney-General (show as ATTORNEY-GENERAL FOR THE STATE OF QUEENSLAND)
 - Very infrequent

Note: The *Mental Health Court – Mention Schedule*, *Mental Health Court – Sittings Schedule* and *Exhibit List (references)* documents also contain helpful information such as spelling of witness names and names of reports to be tendered as well as information on material that will be tendered.

All of this information will be of assistance to monitors and transcribers, however, as the documents contain highly restricted information, ***transcribers and monitors are to ensure that these documents are cleared from their workstation (digitally or physically) once they are no longer of use.***



Example of a HEARING transcript cover page where *Exhibit List (references) documents* REFERENCE information shows “Amended Reference by ABC Legal dated 13/5/2020, filed 13/5/2020” and the Clinician’s names are sourced from the day’s *Mental Health Court – Sittings Schedule* document

MENTAL HEALTH COURT

WILSON J

DR REDDAN and

DR SIMPSON, Assisting

Court Proceeding No 0123 of 2019

**REFERENCE BY THE DEFENDANT’S LEGAL REPRESENTATIVE
IN RESPECT OF JAMES SMITH**

BRISBANE

2.32 PM, MONDAY, 12 OCTOBER 2020

DAY 1

RESTRICTED ACCESS TRANSCRIPT



Example of a HEARING transcript cover page where *Exhibit List (references) documents* APPEAL/APPLICATION information shows “Appeal by Jill Smith dated 13/5/2020, filed 13/5/2020” and the Clinician’s names are sourced from the day’s *Mental Health Court – Sittings Schedule* document

MENTAL HEALTH COURT

FLANAGAN J

DR REDDAN and

DR SIMPSON, Assisting

Court Proceeding No 0001 of 2020

APPEAL FROM MENTAL HEALTH REVIEW TRIBUNAL

JILL SMITH

Appellant

OFFICE OF THE CHIEF PSYCHIATRIST

Respondent by Election

BRISBANE

9.04 AM, MONDAY, 28 SEPTEMBER 2020

DAY 1

RESTRICTED ACCESS TRANSCRIPT

Example of a REASONS FOR FINDING transcript cover page where *Exhibit List (references)* document's REFERENCE information states "Amended Reference by ABC Legal dated 13/5/2020, filed 13/5/2020" and the Clinician's names are sourced from the day's *Mental Health Court – Sittings Schedule* document

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MENTAL HEALTH COURT

FLANAGAN J

**DR HARDEN and
DR REDDAN, Assisting**

Court Proceeding No 55 of 2020

**REFERENCE BY THE DEFENDANT'S LEGAL REPRESENTATIVE
IN RESPECT OF JOHN SMITH**

BRISBANE

11.05 AM, FRIDAY, 12 NOVEMBER 2021

REASONS FOR FINDING

RESTRICTED ACCESS TRANSCRIPT

Any Rulings that may be included in this transcript, may be extracted and subject to revision by the Presiding Judge.

WARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

Sample HEARING transcript where REASONS FOR FINDING commences

HIS HONOUR: Now, the transcript should note that from now we're sitting with two assisting psychiatrists, Dr Jones and Dr Green. Now, the next matter is the matter of Jane Doe.

MS A.B. SMITH: Your Honour, my name is Smith, initials A.B. I appear for Ms Doe.

HIS HONOUR: Thank you.

MR J. GREEN: If your Honour pleases, my name is Green, G-r-e-e-n, initial J. I appear for the Director of Mental Health.

MR A. BROWN: If your Honour pleases, my name is Brown, initial A. I appear on behalf of the Director of Public Prosecutions and I am instructed by his office.

HIS HONOUR: Thank you.

MR GREEN: Your Honour, it's a reference by the Director of Mental Health and I just wonder whether Ms Doe is with us.

DEFENDANT: Yes, your Honour, I'm here.

HIS HONOUR: You're on the telephone, are you, Ms Doe?

DEFENDANT: Yes, I am.

(At this point submissions from counsel occur and discussion between counsel and his Honour. The two assisting psychiatrists also provide their recommendations. This is all laid out in wall to wall with paragraphing. At the end of the transcript, the following occurs)

HIS HONOUR: Now, Ms Doe, was there anything that you wish to say?

DEFENDANT: Yes, your Honour. I'm very sorry for my actions.

HIS HONOUR: Yes, thank you.

TAKE IN REASONS FOR FINDING

The TAKE IN banner will usually be the last entry in the transcript. Concluding discussion between the judicial officer and counsel or parties which occurs after the reasons for finding are delivered should be included in the REASONS FOR FINDING transcript.

Reasons for finding

Orders that occur after the reasons for finding are included in the REASONS FOR FINDING transcript. End this document with a short line in from the left margin.

Transcript sample:

HIS HONOUR: By reference filed 12 June 2010, the Director of Mental Health referred to this court the mental condition of Jane Doe in respect of an offence of serious assault alleged to have been committed on 27 December 2009.

The court has the benefit of reports from Dr Green and Dr Brown. Those reports indicate that the defendant suffers from a bipolar disorder. *(transcript continues on in paragraph format)*

I order:

- (1) At the time of the alleged offence, the subject of the reference, the defendant was suffering from unsoundness of mind as defined in the schedule to the Mental Health Act.
- (2) The defendant be detained pursuant to a forensic order to the Happy Valley Network Authorised Mental Health Service.
- (3) Copies of the reports and of the transcript be provided to the parties and the treating team.

Murri Court

Transcribe Murri Court matters in the same manner as Magistrates Court.

Depending on how their appearances are announced, Elders appearing in the matter should be shown in the margin as:

AUNTY JILL SMITH or AUNTY JILL

UNCLE JIM SMITH or UNCLE JIM

Planning and Environment Court

- Transcribe proceedings as per District Civil procedures (ie, all but closing addresses).
- Normal stages of examination apply.
- Normal adjournment and resumption banners apply.
- If a witness appears, normal stages of examination apply.
- Orders are typed as a separate transcript. If an order occurs in the main transcript, use the **TAKE IN ORDER** banner
- Judgments are typed as a separate document. If a judgment occurs in the main transcript, use the **TAKE IN JUDGMENT** banner.

Note: In 1991, this jurisdiction superseded the Local Government Court, hence there may be reference to “LGA number”. Use LGP or P and E where applicable.

Self-represented parties in the margin

APPLICANT:

APPELLANT:

RESPONDENT:

CO-RESPONDENT SURNAME:

If more than one applicant/respondent is listed in a matter, include the surname, even if only one of the applicants/respondents is present in court. For example:

RESPONDENT TAYLOR:

APPLICANT SMITH:

Judges of Planning and Environment Court

All District Court Judges may sit in P&E Court

Margin entry

HIS HONOUR: or HER HONOUR:

When a registrar presides

REGISTRAR:



Queensland Civil and Administrative Tribunal – QCAT

Normal adjournment/resumption layout applies.

Designations

HIS/HER HONOUR: For QCAT matters heard in District Court

HIS/HER HONOUR: For QCAT matters heard by a Magistrate

THE PRESIDENT: *(currently Justice Mellifont)*

DEPUTY PRESIDENT: *(currently Judge Dann)*

THE A/PRESIDENT:

SENIOR MEMBER:

SENIOR MEMBER OLIVER: *(if a senior member sits on a matter with another member)*

MEMBER: *(for a member or sessional member sitting alone)*

MEMBER SMITH: *(if more than one member sits on a matter, use the applicable member's surname)*

REGISTRAR: *(for minor civil dispute matters presided over by a judicial registrar)*

CHAIRPERSON:

ADJUDICATOR (SURNAME): *(eg, ADJUDICATOR DAVERN:)*

ASSESSOR (SURNAME): *(eg, in Nursing Tribunal matters, a deputy president may appear with one or more assessors)*

TRIBUNAL OFFICER: *(for court/hearing officer)*

HAMMERSLAR JP: *(where the name of the justice of the peace is known)*

JUSTICE OF THE PEACE 1: *(if there is more than one JP presiding and names are not known)*

JUSTICE OF THE PEACE 2:

HEARING SUPPORT OFFICER: Tribunal Officer

Members, legal representatives and appellants/ applicants/ respondents appearing on their own behalf are identified as:

MR (SURNAME): / MS SURNAME:

If the matter is a minor civil dispute, then the member is referred to as ADJUDICATOR (SURNAME): in the left margin.

If the matter is anything else (such as guardianship, building, children's matter) the member is generally referred to as MEMBER: in the left margin.

Evidence in QCAT

Where self-represented parties appear, they are sworn/affirmed by the presiding officer at the commencement of proceedings in order to give their evidence and present their case. Self-reps will usually stay at the bar table and the layout will be wall to wall with their names in the margin.

Witnesses do not usually appear in these matters, but if they did, and if they were sworn/affirmed, the normal witness event banners would apply and the normal question and answer format would ensue.

Where a person comes to court but is not sworn or affirmed, questioning may just commence when they enter the courtroom or answer the telephone, use wall to wall format with their name in the margin. There will be no witness excused banner or stage of examination unless the witness is sworn/affirmed in the normal way.

Guardianship, antidiscrimination and children's matters: use wall to wall format.

QCAT decisions

Decisions are included in the full transcript for QCAT unless requested.

If a Decision is requested when the Hearing transcript request is submitted, two transcripts will be produced:

- Hearing transcript
- Revisable **DECISION** transcript

If the Decision is requested after the initial complete Hearing transcript has been generated, the Decision portion will be extracted and produced as a separate, revisable transcript and the banner **TAKE IN DECISION** will be inserted into the Hearing transcript

Quotations in decision

◇ Include in full and transcribe verbatim. Indent and italicise quotes where applicable.

End of decision

Come down two clear lines and insert a short line in from the left margin to note end of decision.

Footer for Decision

A footer (right hand flush) will show on any Decision transcript, regardless of jurisdiction:

For example:

(transcript)		
(blank)	1-7	DECISION

Queensland Industrial Relations Commission - QIRC

Transcribed in full.

Transcript Types: Hearing, Conference, Mention, Directions Hearing, Decision From Bench, Full Bench.

This will usually be announced at the start of each matter and will be provided in QTranscripts Court Event Listings

Mentions should be treated as hearings in relation to appearances.

Witness event banners are the same as for other court proceedings.

Do not type the introductory, administrative comments between the QIRC and a witness appearing by phone, eg, discussion about the quality of the sound, whether the witness can hear the tribunal, whether the witness is ready to be examined, the need for the witness to be affirmed. This is incorporated in the witness banner

Although QIRC has no criminal role, the **WITNESS STOOD DOWN** and **WITNESS LEAVES COURTROOM** banners apply as appropriate.

Upon resumption following an adjournment during proceedings, although QIRC does not have a jury, if there is a witness continuing, enter the normal witness CONTINUING banner.

Wall to wall layout for discussion between the Commission and counsel.

Recordings will be turned off for all confidential proceedings (off-the-record discussions during Conference matters and as directed by the Presiding Officer during hearings). Associates will enter annotations RECORDING CEASED/RECORDING RESUMED immediately prior/after recordings being turned off/on to assist Transcribers, and appropriate banners per 1.24 – Not To Be Recorded are to be applied to the transcript.

Capitalise: Commissioner, Commission.

Adjournment/Resumptions

See sections 1.3 and 1.22 and 1.23 for banners relevant for QIRC regarding adjournments, resumptions and no recording

Designations

The President
The Vice President O'Connor
Deputy President Merrell
Commissioner
Court officer

HIS HONOUR:
HIS HONOUR:
HIS HONOUR:
COMMISSIONER:
ASSOCIATE:

Self-rep (hearing)
Self-rep in an appeal against a
Workers Comp decision
Self-rep for all conference matters
including appeals

APPLICANT:
APPELLANT:

MR/MS (SURNAME)

QIRC Full Bench margin designators

THE PRESIDENT:
VICE PRESIDENT (SURNAME):
DEPUTY PRESIDENT (SURNAME):
COMMISSIONER (SURNAME):

Self-represented parties

If a self-represented applicant (or respondent) is put into the witness box and sworn/affirmed enter the applicable witness event line (WITNESS NAME, SWORN/AFFIRMED) but do not follow with a stage of examination.

Use wall to wall layout with APPLICANT/RESPONDENT in the margin. If the self-rep is then cross-examined, treat as a normal witness and use the normal stage of examination line and follow with question and answer layout. Continue with question and answer layout until XXN concludes and the witness is excused.

In the unusual event that the Presiding officer enquires of the self-rep if they wish to respond to anything resulting from XXN and the self-rep offers further comments/information, return to wall-to-wall format.

APPLICANT: I've got my statement here. I've got the - like, a couple of folders there, so - - -

COMMISSIONER: We should then swear you in - - -

APPLICANT: Yes.

COMMISSIONER: - - - because after you give your evidence, you'll be cross-examined.

JOHN SMITH, SWORN

[10.10 am]

COMMISSIONER: Mr Smith, could you give us your full name and address, please.

APPLICANT: Yeah, my full name is John Smith. I'm currently residing at 1 White Court, Farmdale with my family and I currently work at the Farmdale District Headquarters located at 1 Black Road, Farmdale and my rank is senior sergeant.
(evidence continues)

COMMISSIONER: Thank you, Mr Smith. Ms Jones?

CROSS-EXAMINATION BY MS JONES

[11.15 am]

(cross examination in Q&S format)

MS JONES: Thank you, Commissioner.

COMMISSIONER: Mr Smith, is there anything further you wish to say?

APPLICANT: Just quickly, Commissioner. (continues)

COMMISSIONER: Thank you, Mr Smith. You are excused.

WITNESS EXCUSED

[11.30 am]

Off the record/recording stopped, without resuming

When a conference or hearing goes off the record and adjourns without going back on the record:

THE CONFERENCE ADJOURNED WITHOUT RESUMING RECORDING [4.33 pm]

THE HEARING ADJOURNED WITHOUT RESUMING RECORDING [4.33 pm]

Decisions

- Decisions are included in the full transcript for QIRC or Industrial Court unless requested.
- If a Decision is requested when the Hearing transcript request is submitted, two transcripts will be produced:
 - Hearing transcript
 - Revisable Decision transcript

If the Decision is requested after the initial complete Hearing transcript has been generated, the Decision portion will be extracted and produced as a separate, revisable transcript and the banner **TAKE IN DECISION** will be inserted into the Hearing transcript

Quotations in decision

Include in full and transcribe verbatim. Indent and italicise quotes where applicable.

End of decision

Come down two clear lines and insert a short line in from the left margin to note end of decision.

Footer for Decision

A footer (right hand flush) will show on any Decision transcript, regardless of jurisdiction:

For example:

(transcript)		
(blank)	1-7	DECISION

Example of QIRC conference transcript cover page

TRANSCRIPT OF PROCEEDINGS

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QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

POWER C

No WC/2022/123

WIDGET PTY LTD v. WORKERS' COMPENSATION REGULATOR

BRISBANE

10.19 AM, THURSDAY, 16 JUNE 2022

DAY 1

CONFERENCE

Any Rulings that may be included in this transcript, may be extracted and subject to revision by the Presiding Judge.

WARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

Industrial Court of Queensland

Designations

The President
The A/president:
Vice President O'Connor
Deputy President Merrell

HIS HONOUR:
THE A/PRESIDENT:
HIS HONOUR:
HIS HONOUR:

ICQ Full Bench margin designators

THE PRESIDENT:
VICE PRESIDENT (SURNAME):
DEPUTY PRESIDENT (SURNAME):
COMMISSIONER (SURNAME):

Note: the current president is Justice Davis.

Note: Act reference layout: 639(4)

Normal adjournment / resumption banners apply during proceedings. Take care not to use the QIRC wording for adjournment/resumption banner entries.

An industrial registrar can make applications in the Industrial Court. The current industrial registrar is Madonna Shelley.

Industrial Registrar margin entry:

MR SURNAME:
MS SURNAME:

Multiple witnesses

See 2.6 – Multiple Witnesses

Multiple civil reviews

If transcribed, same instructions as for Criminal Supreme and District Court.

SECTION 6: NUMBERS

General Rule

Type zero to nine in words and 10 and above in figures for the following:

Ages

The baby was one month old.
The baby was 12 weeks old.
The baby was 12 weeks and two days old.
They had a nine year old daughter and a 13 year old son.
The over-50s have to pay more insurance.
The rule applies to people in their 40s and 50s.
A significant proportion of the population is aged 70-plus.

but when “half” or another fraction is said, use words:

one and a-quarter years old
three and a-half years old
fifteen and a-half

Beginning Sentences

When a number is the first thing said, type all numbers in words.

Twenty-five children were in grade 1.
Three girls and three boys.
Six hundred and forty-eight students attended the school.
Fifty per cent is not enough.

But dates are always in figures unless commencing a sentence:

I believe 1945 saw the end of World War II.
Nineteen Forty-Five saw the end of World War II.

The 25th was the date I said.
Twenty-fifth was the date I said.

I think 17.4.09 was the date the witness gave
Seventeen, four, oh-nine was the date the witness gave.

If the noun is implied, type the number in words:

Four is the paragraph number I am referring to.

HIS HONOUR: What page are you on?

MR JONES: Six.

Compound Expressions

One hour 20 minutes
Three months and 11 days

Century Numbers

It happened in the first century.

We are in the 21st century.

BUT

Twentieth century technology has been superseded.

General Use

one page	six attachments
one hour and 20 minutes	nine witnesses
two and a-half weeks	10 exhibits
two 10-minute breaks	10 cents in the dollar
three months and 11 days	25 statements
four paragraphs	100 documents
five two-month periods	2000 students

Height

He was approximately six feet, four inches tall.

He was approximately six foot four.

He was almost two metres tall.

The wall was 20 metres high.

Hours and Minutes

two hours	10 hours
24 hours	four hours and 20 minutes
five minutes	half-hour
three and a-half hours (fractions are always in words)	

but

the eleventh hour (Macquarie Dictionary)

Indefinite Amounts (excluding money)

six to seven hundred parcels of land
approximately five to 15 people attended
25 to 35 thousand litres

Measurements

two litres	a 45-degree angle
a five-watt bulb	12 grams
nine knots	10 metres by four metres
30 metres	20 degrees Celsius
37 ks away	

three mils (ie, millilitres, if said as such)

three ml (ie, millilitres, if said as such)

but when a fraction is said, use words:

two and a-half litres
ten and three-quarter inches
fifteen and a-half metres

“Odd” amounts (excluding money)

95-odd documents
19,000 hectares-odd
forty-six and a-half-odd thousand people were affected (fractions are always in words)
three and a-half-odd million litres

Ordinal numbers

I was fifth in line.	The 11 th month of the year
I was 23 rd in the queue.	The 20 th day of the trial
The first day of the week.	The 100 th page of the book
The third week of the month.	

BUT Fifteenth in the list of affidavits.

Exception: the eleventh hour (*Macquarie Dictionary*)

Percentages

Note: “per cent” is two words, “percentage” is one word and % is never used

one per cent	10 per cent
nine per cent	20 percentage points
one half of one per cent	60 per cent plus
zero per cent	80 to 90 per cent
minus two per cent	

but when “half” or another fraction is said, use words:

two and a-quarter per cent
ten and three-quarter per cent
fifteen and a-half per cent

Ratios

one to one	one to 100
a two-to-one multiplier	a 70/30 ratio or a 70 to 30 ratio (if “to” is said)
three for one	the child/staff ratio
12 to one	but fifty-fifty

Type in Figures

Addresses

10 Downing Street	Level 2
2 Sixth Avenue	PO Box 4
4 th Floor	22/146 Stowe Street (if said as "22 slash 146")
Flat 8	25-29 Wickham Terrace (if said as "25 dash 29")
	25 to 29 Wickham Terrace (if said as such)

Clock Time

The time is 12 noon.	The time is quarter past 6.
The time is 10 am.	The time is quarter to 7.
The time is 10 o'clock.	The time is 10 minutes to 7.
The time is 6.30 am.	The time is half past 6.
The time is 6.05.	Around 5-ish ; 5 o'clock-ish

They will arrive between 10 and 10.45.
They will arrive between 6.30 and 7.15.

24 hour clock: 1600 hours 1630 hours 1930.50

Note: Hours and minutes – follow the general rule

two minutes past 6	10 hours
one and three-quarter hours	24 hours
three and a-half hours	half-hour
four hours and 20 minutes	but the eleventh hour

for the adjournment at the end of a matter:

MATTER ADJOURNED at 4.15 pm UNTIL MONDAY, 14 SEPTEMBER 2014

Currency

Australia	A\$5	A\$500	A\$3000
Canada	Can\$5	Can\$500	Can\$1 million
Germany*	DM5	DM400	DM60 million
Hong Kong	HK\$5	HK\$500	HK\$6 million
Japan	¥5000	¥40,500	¥10 million
Switzerland	SwF5	SwF50	SwF5000
United Kingdom	£50	£4500	£2 million
United States	US\$5	US\$50	US\$5 million

*Member states of the European Union now use the euro

€15	€150,000	€15 million
-----	----------	-------------

US25c NZ60c

ringgit dollar franc yuan renminbi euro lira peso pound

Dates

Type dates as they are said. If a year is abbreviated to two digits, precede with an apostrophe:

If a year is said as “ninety-seven”, type as ‘97

If a year is said as “O-three”, type as ‘03

Decimal Numbers

.25 per cent

.303 calibre

.22 calibre

.05 blood alcohol level

0.5 per cent (include the zero or nought if it is said)

.11 blood alcohol level

.5 per cent

10.75 per cent

Indefinite amounts of money

Type them as they are said by the speaker, using numerals (unless it is at the commencement of a sentence):

15 to 50 thousand dollars

20 or 30 dollars

500 and something dollars

Five to 5000 dollars

\$6000 to \$25,000 (if said as such)

forty-five and a-half thousand to fifty thousand dollars (fractions are always in words)

about 30 or 40 million dollars

between 1600 and 2000 dollars

Six to 20 thousand (“dollars” implied but not said)

\$20,000 to \$35,000 (if said as such)

Money

Note: If the word “dollar” is not said, do not type the dollar symbol.

10 cents (when cents stand alone)

\$1 (not \$1.00)

\$24 (not \$24.00)

\$300 \$7000 (no comma is used for any four-digit figures)

\$6500.50

\$55,130

\$10.45 million

\$20,500,000

65 cents

\$3.05

\$15.50

\$20,000

\$1 million

\$20 billion

Four million (if said without the “dollars”)

mid-20s (if said as such – as an amount of money, ie, around 20 dollars)

negative \$109,880 (if said as such)

minus \$45,000

half a million dollars

one petrodollar and 10 petrodollars

the sixty-four thousand dollar question

X dollars

Note: “mill” (short for “million”)

I had 20 mill – well, 25 mill at that time.

Number following a noun

day 1, day 5, day 10, day 15

year 12

page 3

point 4 paragraph 2, subparagraph 2(a)

schedule 4

size 12s

stage 1

appendix 5

page 87

dot point 4

all the page 2s

Number with an implied noun

Use numerals when the noun they relate to has not been said.

His Honour made specific reference to that paragraph. I think it was 3 or 4 that contained that reference.

Note: type as a word if the implied noun's number starts a sentence.

I'm at page 4 of the transcript. Well, it's 4 on my version, but you might have it as 2. Four is what I would really draw to your attention, your Honour.

"Odd" amounts of money

Type "odd" amounts as they are said:

"two dollars odd"

becomes \$2-odd

"five hundred dollars odd"

becomes \$500-odd

"15 odd thousand dollars"

becomes 15-odd thousand dollars

"60 million odd dollars"

becomes 60 million-odd dollars

"70 thousand dollars odd"

becomes \$70,000-odd

2-point-something-odd thousand dollars

Note: fifteen and a-half-odd million dollars (fractions are always in words)

Note: type as a word if the "odd" amount number starts a sentence.

Two-point-something-odd thousand dollars is what he said.

Results and Scores

They won the game 14 to nil.

It was a 32 to 10 win.

They were beaten 3 to 1.

The ballot result was 85 to 52.

Telephone numbers

07 3432 3454

0421 123 456

Type in Words

Fractions

two-thirds
three-quarters
one-thirty-third

three and five-eighths
seven-eighths

Partially said numbers

When a number is partially said, type the number in words, no matter what the number refers to:

It was in the year two thousand and - - -
The new computer cost me five hundred and - - -

If said “four-two-one”, show as 421.

Exceptions

Combination Numbers

When two numbers appear consecutively and one is used as an adjective, express one number in words and the other in figures. Try to show the larger number in figures:

twelve 15-minute breaks 250 ten-metre poles

Note: type as a word if the combination number starts a sentence.

Roman numerals

I one (1)
V five (5)
X ten (10)
L fifty (50)
C one hundred (100)
D five hundred (500)
M one thousand (1000)

Express in transcript as follows:

Elizabeth II
Word War II
George V
part X
subsection (i), subsection (vii), subparagraph (ix)
subparagraph 2(a)(i) (usually said as “little one” or “Roman one”)

Years and spans of years

the year 2007	the mid-nineties	
the '07 year	the mid-1990s	
the '06/07 year		post-2000
from 2006 to 2007	in a year's time	
2006/7 (if said as such)	in four and a-half years' time	
from '06 to '07	in ten and a-half years' time	
the nineties	the roaring twenties	
50 BC	10 BCE	
56 to 55 BC	5 CE	
AD 55 or 55 AD (type as said)		
In 2006, '07, '08 and '09 (if said as "in 2006, 7, 8 and 9")		

Quick reference for Numbers

Category	zero to nine in words 10 and above in figures*	All figures*	All words
*type as a word any number that starts a sentence			
Ages	X		
Addresses		X	
Beginning sentences	X		
Century numbers	X		
Clock time		X	
Compound expressions	X		
Currency		X	
Dates		X	
Decimal numbers		X	
Fractions			X
General use	X		
Height	X		
Hours/minutes	X		
Indefinite amts (excluding money)	X		
Indefinite amts (money)		X	
Measurements	X		
Money		X	
Number after a noun		X	
Number with an implied noun		X	
Odd amounts (money)		X	
Odd amounts (excluding money)	X		
Ordinal numbers	X		
Partially said numbers			X
Percentages	X		
Ratios	X		
Results/scores		X	
Telephone number		X	

SECTION 7: PUNCTUATION GUIDELINES

Punctuation is the aspect of written English which has been developed to assist the reader to understand what is written.

Every punctuation mark has one or more particular jobs to do, and every one should be used always and only to do those jobs.

Poor punctuation makes it difficult, or even impossible, for the reader to follow the meaning of the written word.

Consider the difference:

I would like to apply for a job with your company. For two years
I have been employed as a salesman with one of your competitors.
I sold nothing that I did not take pride in. I am sure it will be the same
if I work for you.

***Look at what happens when the position of the
punctuation marks is changed. It actually changes
the meaning of the passage.***

I would like to apply for a job with your company for two years. I have been
employed. As a salesman with one of your competitors, I sold nothing.
That, I did not take pride in. I am sure it will be the same if I work for you.

In transcript, the following punctuation marks are the only ones used:

apostrophe
colon
comma
dash
full stop
hyphen
oblique / slash – limited use
question mark
quotation marks – single and/or double as appropriate
semicolon

In transcript, the following spacing is used:

one space following a comma
one spaces following a semicolon
two spaces following a colon
two spaces following a full stop
two spaces following a question mark
three spaces following the colon used after a speaker's name

two clear lines above and below all bold notations, such as adjournments,
resumptions, extract headings, exhibits, and witness events

The apostrophe

The apostrophe has two functions:

- to indicate the possessive
- to form a contraction

Possessive for nouns and indefinite pronouns

Use “apostrophe s” to form the possessive for singular nouns or indefinite pronouns:

counsel’s submissions	anyone’s guess
nobody’s business	somebody else’s book
the judge’s chambers	master’s degree
for heaven’s sake	bachelor’s degree
the witness’s evidence	the bus’s tyres
driver’s licence	

Personal names and plural nouns

In personal names and plural nouns ending in s use an apostrophe only:

Jesus’ teachings	libraries’ funding
Menzies’ policies	the judges’ chambers
the buses’ tyres	the employees’ uniforms
Moses’ life	my parents’ home
Burns’ poems	the members’ list of issues
the witnesses’ evidence (more than one witness)	
creditors’ meeting	
Teachers’ college	

Note: A plural noun that does not end in s should always take the apostrophe s:

Women’s Electoral Lobby
The gentlemen’s luggage
the Country Firemen’s Association
my children’s books

Times

Use the apostrophe for singular and plural nouns:

Use the apostrophe for singular and plural nouns. When it is one measure of time (for example, a day, one week), the apostrophe goes before the “s”

a day’s notice	one month’s probation
----------------	-----------------------

When it is more than one measure of time (two days, five years), the apostrophe goes after the “s”

10 years’ non-parole	four months’ holiday
----------------------	----------------------

Place Names / Business Names

Place names are commonly spelled without the apostrophe (although you may come across exceptions):

Badgerys Creek	St Marys
St Johns Wood	Frenchs Forest
Kings Park	Jacobs Well
St Pauls Terrace	

Business names usually omit the apostrophe from their titles. As a general rule, omit the apostrophe unless you are certain that the name of the registered entity uses an apostrophe:

Barclays Bank
Dowdens Plumbing and Water Treatment Services
Magistrates Court (ACT, Qld, NSW, NT, TAS, WA)

Exception:

Department of Veterans' Affairs
Veterans' Entitlements Act
Magistrates' Court of Victoria
Veterans' Review Board

Note: all metropolitan and local courts in Victoria take a possessive apostrophe in their title. Go to www.magistratescourt.vic.gov.au and select **Contact Us** for a full list.

Possessive pronouns

An apostrophe is never used with possessive pronouns:

his	ours
hers	theirs
its	yours

To Prevent Confusion

ifs and buts	but
the three Rs	dot the i's and cross the t's
ayes and noes	watch your p's and q's
dos and don'ts	
the 1990s	the nineties

Acronyms and capital letters

Use an apostrophe in the possessive form of acronyms or capital letters.

The ACCC's witnesses Spender J's judgment

No apostrophe is needed for the plural form with acronyms or capital letters.

The volumes marked with Ds and Fs are the ones I refer to.

but cc'd PDF'd

Contractions – some examples

it's	=	it is
can't	=	cannot
we're	=	we are
you're	=	you are
we'll	=	we will
they're	=	they are
I'm	=	I am
don't	=	do not

The colon

A colon is used for one purpose: to introduce a word, a phrase, a series, or a quotation only after a complete sentence. When the word or series being introduced follows a verb or a preposition, do not use a colon.

They were only concerned with: profit. x
They were only concerned with one thing: profit. ✓

The aim of the government is to: reduce unemployment to an all-time low. x
The aim of the government is simple: to reduce unemployment to an all-time low. ✓

He has only two things on his mind, which are: profit and his share portfolio. x
He has only two things on his mind: profit and his share portfolio. ✓

I refer to the case cited by your Honour this morning, which is: Kramer v Kramer. x
I refer to the case cited by your Honour this morning: Kramer v Kramer. ✓

We have notified: Mr Jones, Mr Smith, Mr Yeo, and Ms Clark. x

We have notified the following people: Mr Jones, Mr Smith, Mr Yeo, and Ms Clark. ✓

The system has three drawbacks: it is too expensive, it takes too much time, and no one understands it.

Your Honour, can I add this: that by the end of my submissions you will understand the point I am trying to make.

A colon can also be placed after a topic to introduce a question or a statement

This case you are referring to: where will I find it?
Your new car: what make is it?
That matter you referred to earlier: do you want me to take it into account?
Their share portfolio: what do you think it is worth?
Books, the internet, library resources: these are all valuable tools for learning.

The comma

The comma tells the reader to pause. The main uses of the comma are:

- To separate items in a series (words, phrases, clauses)
- To separate independent clauses (complete sentences) joined by a conjunction
- To set off introductory or concluding expressions and interrupters
- To set off or enclose non-essential material
- To set off words used in direct address, regardless of their position in the sentence
- To set off place names
- To set off contrasted words or phrases
- With *now, then, namely, etcetera, you know, like, I mean, that is*

To separate items in a series (words, phrases, clauses)

- ◇ A comma used before the final conjunction assists in avoiding possible confusion for the reader. However, if no ambiguity arises, do not use it.

The room was littered with books, pens, papers and maps.

Exams will be held on Monday, Wednesday, Friday and Saturday.

Counsel attempted to put forward a reasoned, constructive and logical argument.

Reservations have been made for 2 March, 4 April, 15 April and 20 May.

Their new home has five bedrooms, two bathrooms, two decks and a double garage.

The robber fled across the street, up a lane, over a fence and into a waiting car.

The applicant in the matter has not paid the necessary fees, has not completed all the relevant paperwork, did not attend the last hearing and has failed to reply to his solicitor's letter.

Our consent is not necessary because the document has no strength, it is ambiguous, it is irrelevant, and it puts our client at a disadvantage.

But: *He was in a black ministerial car* **NOT** *He was in a black, ministerial car.*

To separate independent clauses (sentences) joined by a conjunction

INDEPENDENT CLAUSE ,conjunction INDEPENDENT CLAUSE

I knew the price of the shares would increase, *but* I had no idea it would go that high.

He first conducted an audit, *and* he then tried to determine how much money was missing.

The project has been completed on time, *although* some changes will have to be made.

Did you give her anything in writing, *or* did you just give her a verbal response?

In our submission, his argument carries insufficient weight, *and* it is for that reason we consider it is irrelevant.

The new procedure has been approved by the Minister, *and* other departments have signified their willingness to comply.

I anticipated that the price of IBM stock would increase after it entered the home computer market, *but* I had no idea that the price would skyrocket.

And what did the training involve?---It involved bringing weapons to and from the base, *and* you also had to take them out to the range and assemble them.

The weather forecast was for a wet summer, *yet* seasonal storms have been few and far between.

Except in very short clauses:

He ran and I walked.

It rained and it snowed.

BUT – if there are not two independent clauses because the second clause has no subject, no comma is required. Compare the difference:

His response was brief and took only a few minutes. ✓
His response was brief, and it took only a few minutes. ✓

We are satisfied with your explanation and do not need to hear further submissions. ✓
We are satisfied with your explanation, and **we** do not need to hear further submissions. ✓

To set off introductory or concluding expressions and interrupters

Most sentences are composed of a core sentence with information added to the sentence by attaching one or more words to the front or back of the core sentence. Readers need to be alerted to this by the use of a comma in order to help them clearly understand the message.

Note the difference with the use of the comma.

To set off introductory expressions: (adding words to the beginning of the sentence)

Yes we are prepared to consent to the transfer of the matter. x
Yes, we are prepared to consent to the transfer of the matter. ✓

Well what do you say to that? x
Well, what do you say to that? ✓

When he fired the bullet hit the target accurately. x
When he fired, the bullet hit the target accurately. ✓

In fact even after the judge entered the parties were still not ready. x
In fact, even after the judge entered, the parties were still not ready. ✓

That being the case there are no further questions. x
That being the case, there are no further questions. ✓

So far as the applicant is concerned the matter will be brief. x
So far as the applicant is concerned, the matter will be brief. ✓

As we received the document only this morning more time is needed to prepare. x
As we received the document only this morning, more time is needed to prepare. ✓

If I might be permitted an observation his Honour was in error as to the facts. x
If I might be permitted an observation, his Honour was in error as to the facts. ✓

In my submission my learned friend is incorrect. x

In my submission, my learned friend is incorrect. ✓

In order to save the company from bankruptcy the shares were sold at a discount. ✕

In order to save the company from bankruptcy, the shares were sold at a discount. ✓

To set off concluding expressions: (adding words to the end of the sentence)

I am not prepared to consent to the transfer of the matter no. ✕

I am not prepared to consent to the transfer of the matter, no. ✓

What she says is correct I believe. ✕

What she says is correct, I believe. ✓

The business was in financial difficulties wasn't it? ✕

The business was in financial difficulties, wasn't it? ✓

I am prepared to hear what you have to say yes. ✕

I am prepared to hear what you have to say, yes. ✓

How many books have you read on that subject incidentally? ✕

How many books have you read on that subject, incidentally? ✓

My learned friend is mistaken in my respectful submission. ✕

My learned friend is mistaken, in my respectful submission. ✓

Your Honour, my client was overseas at the time as I said before. ✕

Your Honour, my client was overseas at the time, as I said before. ✓

You paid the builder a \$50,000 deposit I think you said. ✕

You paid the builder a \$50,000 deposit, I think you said. ✓

To enclose interrupters:

Just a moment, please, Mr Williams.

Their Honours used that expression, inter alia, in their judgment.

That sort of damage occurs when, say, a vessel hits part of the reef.

If that's what they want to do, well, let them do it.

There is, I would think, a good case to answer.

Your Honour, with respect, that was not my intention.

The respondent filed, or there was filed on his behalf, a form 19 statement.

There is nothing more you can add, as far as I can see, which would convince me.

It seemed entirely reasonable, things being what they were, to expect a bad result.

However, although his Honour said that, it is not true, with respect, as things stand now.

To set off or enclose non-essential material

When a group of words can be omitted from a sentence without drastically changing the meaning of the sentence, these words are a non-essential component. Commas should be placed either side of these words to indicate they are not an essential part of the sentence.

The guest speaker, who has been waiting to speak for some time, will give his address shortly.

Our next witness, the orthopaedic surgeon, will give evidence at 2.30.

The new system, which was introduced only a month ago, has already effected a great saving in time.

The company's CEO, who has excellent qualifications, is a former pilot.

The new judge, who comes from New South Wales, used to be president of the Bar Association.

We have been using the same firm of solicitors, Smith and Partners, for several years.

Therefore, if omitting a group of words would drastically change the meaning of the sentence, they are an essential component and do not need commas either side of them. Compare the difference:

Companies, which hold over a billion dollars in assets, are rare.

x

Companies which hold over a billion dollars in assets are rare.

✓

Doctors, who are found guilty of malpractice, are usually deregistered.

x

Doctors who are found guilty of malpractice are usually deregistered.

✓

All staff, who have been employed for 10 years or more, will receive a bonus.

x

All staff who have been employed for 10 years or more will receive a bonus.

✓

Pilots, who are not alert, do not usually live long.

x

Pilots who are not alert do not usually live long.

✓

To set off words used in direct address, regardless of their position in the sentence

Your Honour, I submit that the paragraph should be struck out.
I submit, your Honour, that the paragraph should be struck out.
I submit that the paragraph should be struck out, your Honour.

Doctor, listen to my question and do not interrupt.
Listen to my question, Doctor, and do not interrupt.
Listen to my question and do not interrupt, Doctor.

To set off place names

The national office of Widget is situated at Level 10, 150 Smith Street, Brisbane, Queensland 4000.
My company also has an operation in Wellington, New Zealand.
Did you mean Ipswich, Queensland, Australia, or Ipswich, Suffolk, England?
He was transferred to Jakarta, Indonesia, for the next two years.
I've worked in both George Street, Sydney, and George Street, Brisbane.

To set off contrasted words or phrases

The trial will take place in August, not September.
Counsel made brief submissions, not lengthy ones.
This is the way to say it, not the other way around.
Those details can be found, as I said, on page 46, not page 56.
Mr Brown is his instructing solicitor, not Mr Black.

With now, then, namely, etcetera, you know, like, I mean, sort of, that is

now (in time)	Now that you know the results, what will you do? Now all the documents have been filed, we can start.
now (introductory or interrupter)	Now, are you going to answer my question or not? Look, now, I didn't mean what I said. Now, as I said before, you must answer my questions in full.
then (in time)	What did you say then? Then you rang the police and reported the theft. After you spoke to your solicitor, then what did you do?
then (introductory or interrupter)	Then, that's your only answer in response to my question. Now, then, tell the court what you did. Am I right, then, that you did attend the meeting?
namely	There was one piece of good news, namely, taxes will be cut. Two barristers represented them, namely, senior and junior counsel.
etcetera	The job requires a good knowledge of physics, etcetera. Affidavits, reports, letters, etcetera, will all be part of the evidence.
you know	You know, I often wonder why I do this.
like	I often wonder, you know, why I do this. Like, what can I do about it? He was always, like, borrowing books and not returning them.

I mean	I mean, what do you want me to say? Like I said, I mean, that's the way it goes.
that is (ie, that is to say)	I meant what I said, that is, I meant it when I said it. The agreement, that is, the one at page 4, says that. The agreement that is at page 4 says that.

Note:

sort of	He was sort of pleased with the arrangement. I remember doing a sort of U-turn before the accident. He was pleased with the arrangement, sort of. I remember doing a U-turn, sort of, before the accident.
---------	---

For example:

Now, tell me what happened?---Okay, then. I will. Like, you know, I'm doing the best I can. It's sort of a bit hard when you have to represent yourself. I can't remember exactly what happened, but I do remember thinking I had better get all my documents together, namely, all my taxation returns, the receipts, the letters, etcetera, and then I sort of panicked when I couldn't find everything, and that's when I realised I had been robbed, like. I mean, I panicked, so then I called the police to report it, but, you know, they couldn't do too much because I couldn't tell them when it actually happened.

Comma splicing

Transcript should be punctuated to reflect sense and phrasing of what was spoken.

Short, simple sentences can be separated with a semicolons.

They say it wasn't intentional; we say it was.
You can do it that way; you can do it the other way.
They don't lend money; they are brokers.
ANZ is a bank; it's a lender; it lends money.

Incorrect

It's true to say that you have seen that document
before; isn't it?

It does seem to suggest that you knew about that
meeting; doesn't it?

It will provide the court with a brief summary,
though; won't it?

Correct

It's true to say that you have seen that document
before, isn't it?

It does seem to suggest that you knew about that
meeting, doesn't it?

It will provide the court with a brief summary,
though, won't it?

The dash

1. Indicates change of thought / disjointed speech / stumbles
2. Separates an inserted thought in the middle of a sentence
3. Adds emphasis

1. To indicate change of thought / disjointed speech / stumbles:

I would now like to turn to the matter of – perhaps I could address your Honour on that later.
Your Honour, my next point is – actually, before I go on to that, I should say this.
What is your answer?---My answer is – what was the question again, please?
I spoke to him in November and – no, I may be wrong about that.
There is one other matter which – at least one other matter which I will deal with after lunch.
As I said, your Honour – no, I won't touch on – yes, perhaps I will.

2. To separate an inserted thought in the middle of a sentence:

Your Honour, my final submission is – well, it's not quite my final submission – that the application must fail.

In December last year – I was on holidays at the time – I had a serious accident.

My next submission to your Honour – and this is my very last point – will be brief.

I spoke to him in 2004 – no, 2005 – when he visited us.
It would be quite improper – I'm sure you are aware of that fact – it would be quite improper for me as a judge to start giving legal advice.

The government hoped that its prescription for the economy – lower interest rates and higher employment – would be an election winner.

3. To add emphasis:

A dash can be used to place special emphasis on a component. It is stronger than a comma and should be used sparingly.

The government has introduced new laws – laws which may be difficult to uphold.
It is the fault of the applicant – the applicant and no one else.
Your Honour, I have only two things to say – two things and no more.

Hyphens and Hyphenated Words

- ◇ Restrict the use of hyphens as much as possible. Do not use it for everyday words. If in doubt, go by the Macquarie Dictionary.
- ◇ The primary use of the hyphen is to indicate that two or more words or numbers are to be read together to create a single unit of meaning. The better established the formation, the less need there is for a hyphen to link its components.

The main uses for the hyphen in transcript are as follows:

Compound adjectives describing a noun

It is an eight-page document.	but	It is a document of eight pages.
He was a health-care worker.	but	He worked in health care.

We tackled the problems with a day-by-day approach.

but

We tackled the problems day by day.

The new strategy produced a very run-of-the-mill result.

but

The result of the new strategy was very run of the mill.

It was an up-to-date summary.

but

The summary was up to date.

He chose to do full-time work

but

He was working full time.

Note: If the modifier ends in *ly*, a hyphen is **not** used in the compound adjective:

It was organically grown fruit. The fruit was organically grown.

They are publicly owned parks. They are parks that are publicly owned.

Preceding a date

post-1970

pre-2000

When a single letter is used with a word

A-bomb

B-grade

U-turn

T-shirt

X-ray

S-bend

Note this exception: T documents (not hyphenated)

When the main word begins with a capital letter

non-English-speaking country

pre-Islamic history

anti-American protest

Where two or more words are combined to make a single word

decision-maker

self-esteem

son-in-law

To prevent misreading and ambiguity

Note the difference:

re-cover (*to cover again*)

- recover (*to get better or regain*)

re-collect (*to collect again*)

- recollect (*to remember*)

We need more experienced players (*additional players who are experienced*)

We need more-experienced players (*players who have more experience*)

Spelled out fractions

half-hour

one-quarter of a million dollars

one-third

two-thirds of the members

one-thirty-third

quarter-hour

Generally, words containing the following

all

all-important, all-seeing, all-encompassing

anti (followed by word beginning with a vowel)

anti-aircraft, anti-inflammatory

note: antidepressant

cross

cross-examine, cross-appeal, cross-country

elect

mayor-elect, prefect-elect

ex (meaning former)

ex-teacher, ex-president

great

great-grandmother, great-grandparent

half	half-yearly, half-hearted note: halfway (Macquarie Dictionary)
non	non-academic, non-compliant
odd	30-odd dollars, \$50-odd, 60-odd members
post-traumatic stress disorder	
pre (followed by word beginning with a vowel)	pre-empt, pre-eminent, pre-existing note: preamble, prearrange, preordain, preoccupation
re (followed by word beginning with a vowel)	re-examine, re-enter, re-allocate
self	self-esteem, self-absorbed, self-represented
semi (followed by word beginning with a vowel)	semi-isolated, semi-arid note: semicolon
vice	vice-president, vice-captain note: margin entry remains as THE VICE PRESIDENT

The oblique stroke / slash

The use of the oblique / slash is limited in transcript to instances such as the following:

The '05/06 financial year.
Expansion plans are in place for approximately 2008/2009.
He worked as a rigger/scaffolder.
The Gold Coast/Tweed area is a popular holiday destination.
I plan to travel abroad in July/August.
We will be handing up letters and/or reports in support of our case.
That sounds very much like a yes/no answer.

The question mark

- ◇ The question mark signals a query.
- ◇ Do not use question marks after an indirect question or a polite request that seeks no verbal response.

Do you have page 2 in front of you?	(question) ✓
Would you please turn to page 2.	(request) ✓
Are you ready to proceed with your submissions?	(question) ✓
If I can take your Honour to page 3.	(request) ✓
Before you start your submissions, can I ask you one thing.	(request) ✓

Quotation marks and punctuation

- ◇ For both wall-to-wall and Q&A transcripts, quotation marks enclose a direct quotation, that is, the repetition of someone else's exact words, as if that other person was saying them.
- ◇ Indirect quotations or reported speech do not take quotation marks.
- ◇ Single quotation marks are used to set off a quote within a verbal quote.
- ◇ Full stops, commas and question marks can go inside or outside quotation marks, both single and double, depending on the context of what is being said.
- ◇ Semicolons and colons are always placed outside the quotation marks.

For direct quotations – conversations, thoughts, paraphrases

The suspect told the arresting officer, “I was nowhere near the scene of the crime.”

He said words to the effect of, “I will not be there this afternoon.”

“Walk to the corner”, I was told, “and turn left.”

“If that’s your final answer,” he said, “I do not believe it’s the truth.”

Some people get confused when to use “principle” and “principal”.

“Give me your argument”, the judge said, “so I can come to an appropriate conclusion.”

I thought to myself, “What a load of rubbish.”

My words were, “When I asked him what he needed, he replied, ‘A new passport.’”

He said, “I meant to say ‘will happen,’ but instead I said ‘happened.’”

Did you actually use the words, “I was out of touch for the rest of the day”?

Did you say “contact” or “contract”?

“Is that all your material?” asked the judge.

I clearly heard him ask, “Do you think you’ll be there tonight?”

Was her only response to the question, “I can’t stay”?

The semicolon

There are only two ways to use the semicolon:

- ◇ To connect two independent clauses (complete sentences) which are close in content (but are not joined by the coordinating conjunctions *and, but, or, nor, for, yet*)

Or

- ◇ As a “supercomma” to separate complex items in a list, that is, where the items contain internal punctuation

- 1. To connect two independent clauses (complete sentences) which are close in content (but are not joined by the coordinating conjunctions *and, but, or, nor, for, or yet*)**

INDEPENDENT CLAUSE ; INDEPENDENT CLAUSE

The judge was angry; the parties had kept him waiting.

Our staff is too small; it needs to be enlarged.

It’s always cold in here; the air-conditioning is too low.

Rome is an excellent city for a holiday; there are many great things to see.

My submissions will be brief; they should take no more than 15 minutes.

Your name is John William Smith; is that correct?

And you have prepared an affidavit in these proceedings; is that so?

That affidavit was filed this morning; is that the position?

The contents of the affidavit are true and correct; is that right?

You don’t wish to make any changes; that’s correct, isn’t it?

You have heard other witnesses say that you were not at the meeting which you claim to have attended; is that right?

BUT – when two independent clauses are joined by a linking adverb such as *accordingly, however, therefore, or thus*, use a semicolon at the end of the first clause. The linking adverb is usually followed by a comma, or set off by commas, if it falls within the second clause.

The parties were not sufficiently prepared; accordingly, the trial date was postponed.

She was a good real estate agent; however, she had trouble selling her own house.

All parties had their material ready; therefore, a trial date was set.

The judge listened to all submissions; thus, it was not difficult for him to reach a decision.

The conference ended on Thursday; we could, therefore, leave on Friday.

2. As a “supercomma” to separate complex items in a list, that is, where the items contain internal punctuation

I have been to Kuala Lumpur, Malaysia; Jakarta, Indonesia; and Paris, France.

Some of Australia’s largest cities are Sydney, New South Wales; Melbourne, Victoria; Adelaide, South Australia; and Brisbane, Queensland.

The relevant dates are January, 2006; March, 2006; June, 2006; and December, 2006.

Attending the meeting were Mr Allen, an accountant; Mr Jackson, an engineer; Ms Owens, a solicitor; Mr Anderson, a builder; and Mr Williams, a financial analyst.

We ordered five cartons of printer paper; six lined, medium-sized stationery pads; and nine boxes of assorted pens, pencils and markers.

Our costs involved printing, \$50; photocopying, \$30; phone calls, \$10; and delivery, \$15.

SECTION 8: DRUG NAMES AND MEDICAL TERMS

<p>A abreaction Adderall afebrile air viver alodorm Ambien Amitriptyline Amoxicillin angioplasty aorta Aropax Arorix arrhythmia aspirin Atenolol atheroma Ativan</p> <p>B barbiturates Becotide benzodiazepine bipolar bolus brompheniramine (maleate) buprenorphine Buscopan Butazolidin</p> <p>C caesarean Cafegot cannula catharsis Cephalexin cerebrospinal Clonidine chloroquine clavicle clofazimine cognitive therapy crystal amphetamine crystal meth Cymbalta</p> <p>D decerebrate defibrillation Deseril dexamphetamine DOB four-bromo-two, five- dimethoxyamphetamine DOM four, methyl-two, five- dimethoxyamphetamine</p>	<p>diabetic diaphragm diastolic/systolic diazepam Diazepam Flexeril Di-gesic Disprin dothiepin hydrochloride Doxylamine dysrhythmia</p> <p>E Endone ephedrine epigastric erythromycin ET – end tidal ET CO2 exsanguinations</p> <p>F Feldene Fi O2 fluoxetine fulminant toxemia</p> <p>G Gabapentin galvanometer / galvanocautery gamma butyrolactone (GBL) Gestalt glucuronide gonadotrophin grand negative sepsis</p> <p>H haematoma haemothorax Haloperidol heparin hepatic hydrocephalus hydrochlorine methylamphetamine (ice) hydrochlorothiazide hypercapnia</p> <p>hypermanic hypovolaemia hypoxia / hypoxic</p>	<p>I Imogram Inderal intubate ischaemia / ischaemic isoflurane</p> <p>J Jay Phyl</p> <p>K keloid Klonopin</p> <p>L labyrinthitis laryngeal Lexapro lignocaine Lipitor Lisinopril lithium lividity Lomotil Lorazepam Losec lumbosacral LSD – lysergic acid diethylamine Lyrica</p> <p>M macrophages Maxolon MDMA (ecstasy) three, four methylenedioxymethamphetamine mechanistic mediastinum Meniere's disease Mersyndol Mescaline Mescal three, four, five- trimethoxyphenylethylamine metabolites Metformin Methadone Methadone methamphetamine methocarbamol methylenedioxymethamphetamine methylamphetamine Metoprolol Mogadon morphine moribund (dying state) Murelax musculo-ligamentous myocardial infarction</p>
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<p>N Naprosyn Naproxen Narcan Nardil Nephramine neuro-humoral Neuroleptic neurone Neurontin NIBP – non-invasive blood pressure nitrazepam Nolvadex norfloxacin Norvasc Nurofen</p> <p>O oesophageal oesophagus osmosis Oxycodone OxyContin</p> <p>P Panadeine Forte Panadol paracetamol parietal pleura Percocet Phentermine peri-mortal peritoneum Pethidine Physeptone placebo pleural cavity pneumonia pneumothorax Polaramine postero-lateral Prepulsid Propofol Propranolol Prothiaden Prozac pseudoephedrine psychometric pulmonary embolus pulmonary oedema pulse oximeter</p> <p>Q Quazepam</p>	<p>R Ritalin Rivotril Rohypnol (Rohies)</p> <p>S Sandomigran sciatica sepsis septicaemia Serepax Seroquel Skelaxin soma somatisation sternocleidomastoid muscle sternum subcutaneous subepithelia haematoma sublingual subungual</p> <p>T tachycardia tachypnoea Tagamet thoracic thorax tinnitus tamoxifen trachea Tramadol Trazodone triage trocar turgor (swelling)</p> <p>U</p> <p>V vagul vagus nerve Valium Valtrex Vancomycin Ventolin ventriculo-peritoneal shunt vertigo Viagra Vicodin Virutex visceral pleura Voltaren</p>	<p>W Wart-Off Welchol</p> <p>X Xanax Xantrax Xyrem X-ray</p> <p>Y Yasmin Yaz yellow fever</p> <p>Z Zactin Zanax Zocor Zolof</p>
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APPENDIX – SUMMARY OF AMENDMENTS TO VERSION 3 OF FORMAT AND STYLE GUIDE

Page Number(s)	Section	Amendment
12	General	Minor clarification
14-18	1.2 Addresses – opening and closing	Content update: Note gender neutral self-rep banners on page 14 and update to Magistrates Court on page 18
19-25	1.3 – Adjournments and Resumptions	Content update: Note changes to During Proceedings and Conclusion of a Matter on page 19.
28	1.5 – Bail Applications	Minor clarification
29	1.7 – Calling/announcement of a matter	Minor clarification
36-37	1.13 – Court/Tribunal Officers	Content update: Note addition of further Court officers.
38-41	1.15 – In-camera proceedings	Content update: Note updated transcript examples
44	1.22 – Not to be recorded	Minor clarification
45	1.23 – Not to be recorded and matter adjourned	Minor clarification
48	1.29 – Transcript Cover Pages – spacing	Content update: Note new Copyright disclaimer.
74	1.42 – Verbatim	Content update: Note Revisable transcripts and Tidying up sections.
81	1.45 – Watermarks	Minor clarification
85	Child Witness	Minor clarification - application of CALLED banner
92	2.3 – Telephone Conference/Video Link evidence	Content Update: medium banners to appear on continuing days' transcripts
93	2.4 – Closed-circuit television link evidence	Content Update: medium banners to appear on continuing days' transcripts
101	Hostile Witness	Content update: Update to Guide
103-104	Multiple Witnesses	Content update: Note footer example and minor clarification regarding individual and multiple witnesses in a transcript
110-113	2.10 – Voir Dire	Content update: Note removal of ADDRESSES ON VOIR DIRE banners. All submissions/addresses to Judge before, during or after Voir Dire evidence are transcribed in full
114	3.1 – Acronyms	Content update: Note additional acronyms
115	3.3 - Apostrophe	Minor clarification regarding CCQ/CCJ
116	3.3 – Apostrophe	Content update: Note clarification to apostrophe applied to Times
118	3.5 – Capitalisation and Lower Case	Minor clarification - Revisable Transcripts
120	3.6 – Contractions	Minor clarification
121-122	3.7 – Ellipsis	Content update: Note addition of ellipsis regarding Courtroom telephone numbers etc
124	3.10 – Exhibits and MFIs	Minor clarification – spacing between “Exhibit” and number/letter etc for transcripts
139	3.17 – The use of “Mmm”	Minor clarification
141-142	3.22 – Quotation of Speech	Content update: Note quotation marks applicable for direct speech in all instances throughout a transcript
143-147	3.23 – Quotation of Written Material	Content update: Note quotation of all written material is indented/italicised, however, quotation marks for quoting of three or less words.

Page Number(s)	Section	Amendment
150	3.25 – Spacing in transcript	Content update: Note updates regarding banners and conclusion of transcript
163-164	Verdicts	Content update: clarification of [TIME] notations
175-181	Summing Up//Redirections	Content update: [TIME] notations and no times required in Summing Up banners.
184	Civil Juries	Minor clarification
187-188	Childrens Court of Queensland	Minor clarification
197	Voir Dire (Magistrates Court)	Minor clarification
199	Inquest Findings	Minor clarification
221	QIRC	Content update: general information and recordings to be turned off for all confidential proceedings
223	QIRC – Self-represented parties	Minor clarification
236	Apostrophe – Times	Content update: clarification