

AMENDED PRACTICE DIRECTION NUMBER 12 OF 2014

DISTRICT COURT OF QUEENSLAND

Digitally recorded proceedings: means of identifying proceeding, those appearing, and witnesses

Digital recording of court proceedings in the State of Queensland is now being undertaken by Auscript Australasia Pty Limited (Auscript).

The system being used does not require the physical presence within the courtroom of any Auscript personnel and so measures must be taken to ensure the sufficient identification of:

- (a) the proceeding being recorded;
- (b) the legal representatives appearing, or parties appearing in person; and
- (c) the names of the witnesses giving evidence.

To that end, the following requirements must now be met.

Lists of witnesses

1. Subject to paragraph 2, when a party intends to call one or more witnesses to give oral evidence at a trial or other hearing, that party must deliver to Auscript a list of those witnesses (witness list), in accordance with paragraph 3, by 4.30 pm on the day before the commencement of the trial or hearing. Where a party becomes aware that persons in addition to those on the witness list may need to be called, then an amended witness list must be sent in accordance with paragraph 3 as soon as possible.
2. In a criminal trial, the requirement in paragraph 1 applies only to the prosecution.
3. The witness list must contain the following information:
 - a. The full title of the trial or hearing
 - b. The file number of the trial or hearing
 - c. The commencement date of the trial or hearing
 - d. The name of the judge presiding
 - e. The full names of the witnesses intended to be called.
4. The witness list must be delivered to Auscript by emailing the list to witnesslists@auscript.com.au. The message line in the email must contain the name of the trial or hearing.

Announcing a proceeding

5. At a call-over or review (other than the call-over conducted in the Applications List), the proper officer of the court, usually the Judge's Associate, at the Judge's request, or the party requesting that the matter be dealt with, will announce the title of the proceeding in sufficient detail to identify the proceeding – by naming the parties and specifying the file number.
6. In all other cases, principally trials, appeals and hearings in the applications jurisdiction, the presiding Judge will direct the proper officer of the court, usually the Associate, to “call the case” – which will involve that officer's identifying the parties to the proceeding and specifying the file number.

Announcing appearances

7. Except at call-overs and reviews, a party appearing in a proceeding, whether a legal representative or a person appearing without legal representation, will at the outset state:
 - a. his or her surname and initials (spelling the surname);
 - b. the professional capacity, if any, in which he or she appears;
 - c. the party or parties whom he or she represents, if that be the case; and
 - d. the name of the instructing solicitor, or the solicitor with whom the person is connected, as the case may be.

Calling witnesses

8. When a witness is called to give evidence, the person calling the witness will spell the given name and surname of the witness.

General

9. This practice direction does not affect the current practice in relation to “appearance slips” – see Practice Directions 6 of 2004 (Applications Jurisdiction) and 1 of 1977 (Trials and Appeals) – which is to continue without modification.
10. Practice Direction 3 of 2006 is repealed.

Commencement

11. This Practice Direction takes effect from 3 March 2014

Chief Judge KJ O'Brien

6 April 2016