



District Court of Queensland

Annual report 2014- 2015

27 October 2015

The Honourable Mrs Yvette D'Ath MP
Attorney-General and Minister for Justice and
Minister for Training and Skills
Level 18
State Law Building
50 Ann Street
Brisbane Qld 4000

Dear Attorney

Pursuant to s.130A (1) of the *District Court of Queensland Act 1967*, I enclose my report on the operation of the District Court of Queensland for the year ended 30 June 2015.

Yours sincerely

A handwritten signature in blue ink, appearing to read "KJ O'Brien", with a large, stylized initial "K" and "J" at the start.

Chief Judge KJ O'Brien

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Chief Judge's overview

Introduction

This is the court's 19th annual report, dealing with the organization, operation and performance of the District Court of Queensland in 2014-15. Its workload is significant as this court is one of the largest, and busiest, of the higher courts in Australia.

The trend towards lengthy and complex civil and criminal trials continues. The increasing use of the eTrials system, especially for commercial and planning and environment matters, as well as for trials of complex fraud and taxation offences, clearly shortens the length of these trials and hearings.

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

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

There have been two judges resident in Southport. The disposition of the Southport lists was pleasing this year. Judge McGinness has managed the criminal list well and with the provision of additional judges from Brisbane when needed, there is no call at present for a third resident judge at Southport. The situation continues to be monitored.

Cairns encounters problems rarely experienced in south-east Queensland. The court at Cairns covers a sparsely populated area approaching the size of Victoria. Distance is an obstacle to litigants' and witnesses' availability for trials, hearings and conferences with counsel. Nonetheless, the Cairns criminal listing judge, through case management and regular reviews, has reduced the number of active pending defendants by 5.2 per cent.

Judicial case management of the criminal lists ensures that most of the matters which finally result in a guilty plea or nolle prosequi are identified much earlier than was the practice a decade or so ago. Statistics clearly demonstrate that in the larger centres the trials which resolve on the first day by reason of a 'late' guilty plea or nolle prosequi, are much fewer. Notwithstanding an increase in the number of criminal lodgments throughout the State from 5,232 matters to 5,553 matters, the number of finalisations increased by 5.9 per cent with a clearance rate of 96.5 per cent.

Similarly, judicial case management of the civil and commercial lists has controlled those lists, despite the increasing complexity of civil matters. The number of active pending civil matters this financial year decreased slightly from 4,935 to 4,895.

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

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

Judge Shanahan, the President of the Childrens Court of Queensland, and Judge Rackemann who does most of the listing of Planning and Environment Court matters in Brisbane, have prepared their respective reports on the operations for these entities during the year under review.

Performance

The court's performance and workload during the 2014-15 year are reflected in the statistics set out in this report. The court's statistical information accords with the method of reporting adopted by the Commonwealth Productivity Commission's Annual *Report on Government Services*.

The dedication of the court's 39 judges has resulted in the efficient and timely disposal of the lists. In Brisbane this was undoubtedly assisted by the new courthouse. The layout of the courtrooms and the circulatory systems in place for prisoners, litigants, the profession, the public, child and other vulnerable witnesses, juries and the judges, as well as the advances in technology available for trials and

hearings, have all contributed. There remains a pressing need however for an improvement in facilities in other centres, including Townsville, Rockhampton and Maroochydore.

The 6.1 per cent increase in the number of new matters lodged in the criminal jurisdiction has made more difficult the administration of the criminal lists. The great bulk of this increase (243 of the 321 additional matters) has occurred in Brisbane. Notwithstanding this increase however, there has been an increase in the defendant finalisations of 4.8 per cent in Brisbane and the clearance rate statewide remains in excess of 96 per cent.

By reason of the *Criminal Law (Two Strike Child Sex Offender) Amendment Act 2012*, it is likely that the number of trials in this court will increase over the next two years. The Act provides for a mandatory sentence of life imprisonment with a non-parole period of 20 years for those to whom the Act applies. Consequently few, if any, might be expected to plead guilty to such charges. It is likely also that the recent renewed emphasis on domestic violence, commendable though it is, will create additional work for this Court, both by way of additional indictment presentations and by way of appeals from the Magistrates Court.

There was a slight decrease of 218 matters in the number of civil lodgments across the State during the year, a factor which no doubt contributed to an increase in the clearance rate from 95.7 per cent to 100.7 per cent.

The number of lodgments in the Planning and Environment Court increased by 16.8 per cent during the year. The bulk of this increase occurred in Brisbane, where the number of lodgments increased from 350 to 439. Statewide, the Court achieved a clearance rate of 98 per cent.

Disposition of Caseload

In light of the factors referred to above, the court's performance and workload in 2014-5 has been most creditable. As the number of new matters has fallen in a number of rural and regional centres, there were sufficient judicial resources to service those centres, as well as some of the bigger centres, such as Southport.

Criminal

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

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

The percentage of defendants with a case age of more than 24 months remained stable at 4.3 per cent compared with 4.4 per cent in the previous year. The clearance rate at State level was also fairly stable at 96.5 per cent (96.8 per cent in 2013-14). The number of active pending defendants increased from 1698 to 1901 in the year under review. Finalisations statewide increased by 5.9 per cent from 5062 matters to 5360 matters.

About 90 per cent of all trials on indictment were held in this court. The court deals with many complex and lengthy fraud trials, with the longer or more complex having been conducted as eTrials.

During the year under review 414 matters were disposed of by trial and verdict (439 last year), 3,901 by sentence on guilty plea (3,625 last year) and 788 by nolle prosequi (777 last year).

This year 5,553 new cases were presented to the court (5,232 last year). The court ended the year having disposed of 5,360 matters (5,062 last year) giving a 96.5 per cent clearance rate (96.8 per cent last year). Of the outstanding cases, 14.4 per cent were more than 12 months old from the date of presentation of the indictment (12.5 per cent last year), and 4.3 per cent were more than 24 months old (4.4 per cent last year).

In Brisbane, 1,885 new cases were presented during the year and the court ended the year with 688 outstanding criminal cases (505 last year), having disposed of 1,701 matters (1,623 last year). The clearance rate in Brisbane dropped to 90.2 per cent this year from 98.8 per cent last year. Of the outstanding cases, 16 per cent were more than 12 months old from the date of presentation of indictment (14.1 per cent last year), and 5.8 per cent were more than 24 months old (6.7 per cent last year).

In the major centres where judges are based – Brisbane, Beenleigh, Cairns, Ipswich, Maroochydore, Rockhampton, Southport and Townsville – a total of 4,728 new cases were presented during the year and those major centres ended the year having disposed of 4,410 cases, with 1,624 outstanding, compared with last year (4,518 new cases, 4,238 disposed of, and 1,457 outstanding cases).

At the circuit centres, a total of 825 new cases were presented during the year (714 last year) and the circuit centres ended the year with the court having disposed of 950 criminal matters in those places, (824 last year), with 277 matters outstanding at the end of the year (241 last year).

Affected child witnesses

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

Many children are required to give evidence in matters involving charges of sexual or violence offences. During 2014-15 the judges ordered 202 pre-recordings (last year 226) involving 424 children (last year 373) for the District Court or the Childrens Court. Not all the pre-recordings ordered take place as, not infrequently, defendants plead guilty soon after the order is made. During 2014-15, the evidence of 298 children (last year 249) was pre-recorded before a judge for future trials in the District Court or the Childrens Court. However not all matters then go on to trial as some defendants plead guilty after the pre-recording takes place or the Crown enters a *nolle prosequi*.

The evidence of an affected child witness must be pre-recorded from a remote witness room soon after the indictment is presented, and care taken to ensure that all pre-trial hearings are completed before that occurs. In Brisbane the pre-recording usually took place within 6-10 weeks of the presentation of the indictment. The child's evidence is later played to the jury at the trial which usually takes place some months after the pre-recording. To preserve their integrity and security, all DVDs or videotapes, no matter where recorded in Queensland, are kept by the Principal Registry in Brisbane.

The court's technological and IT administrators responded promptly in replacing or mending defective equipment. Unfortunately such dedication and expertise is not mirrored in many of the tapes of a child's earlier police interview, which are prepared outside the court, but are played to juries pursuant to s 93A of the *Evidence Act 1977*.

Civil

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

During 2014-15 there were 5,322 new civil cases lodged in the court (5,540 last year), with 5,358 matters finalised (5,304 last year). The number of active pending matters decreased in 2014-15 with 4,895 pending active matters (4,935 last year). The civil clearance rate was 100.7 per cent compared with 95.7 per cent last year. The percentage of active cases older than 12 months was 20.4 per cent this year (19.6 per cent last year) and the percentage of active cases older than 24 months was 4.2 per cent (4.1 per cent last year).

In Brisbane there were 4,285 new cases, a slight increase from 2013-14 (4,267 last year), but an increase of 7.2 per cent to 4,165, in the number of cases disposed of (3,885 last year), resulted in a clearance rate of 97.2 per cent (91 per cent last year). In Brisbane, 18.9 per cent of active cases were older than 12 months with 3.7 per cent of active cases older than 24 months. These figures remain relatively static compared to the previous year. Most of the more complex matters were lodged in Brisbane.

These statistics do not include the other, non-RoGS matters such as applications which are heard by the judges, nor appeals to the District Court or the matters dealt with by the judges sitting in the Planning and Environment Court.

District Court Commercial List

A Commercial List was established in October 2010 pursuant to Practice Direction no 3 of 2010 in view of the court's monetary jurisdiction increasing to \$750,000 from 1 November 2010. During the year the Commercial List judges were Judge Robin QC (to 19 October 2014), Judge McGill SC, Judge Searles, Judge Andrews SC, Judge Dorney QC and Judge Sheridan (from 24 November 2014).

Appeals

During the year under review the court disposed of 408 criminal appeals from the Magistrates Courts (373 last year) and 56 civil appeals from the Magistrates Court (57 last year).

Criminal appeals

During the year, 448 criminal appeals were lodged in the court, (427 last year) and 408 cases were finalised, ending the year with 249 active cases and a 91.1 per cent clearance rate. The percentage of active cases older than 12 months increased from 9.6 per cent in 2013-14 to 16.1 per cent in 2014-15, with the percentage of those older than 24 months increasing from 1.0 per cent last year to 4.8 per cent in 2014-15.

In Brisbane during the year under review the number of criminal appeals lodged remained steady with 189 new appeals this year (158 last year), disposing of 159 criminal appeals (130 in 2013-14), and ending the year with 130 active cases and a clearance rate of 84.1 per cent (82.3 per cent last year). The percentage of active cases older than 12 months was 16.9 per cent (15.6 per cent last year) with 6.9 per cent older than 24 months.

Civil appeals

During the year, 61 civil appeals were lodged in the court (68 last year), and 56 cases finalised (57 last year) giving a clearance rate of 91.8 per cent and ending the year with 51 active cases. The percentage of active cases older than 12 months has increased from 14.6 per cent in 2013-14 to 35.3 per cent in 2014-15, and those older than 24 months, from 6.3 per cent last year to 9.8 per cent in 2014-15. In Brisbane the court disposed of 27 civil appeals and ended the year with 35 active cases, resulting in a clearance rate of 90 per cent (78.4 per cent in 2013-14), with 45.7 per cent older than 12 months and 14.3 per cent older than 24 months.

Planning and Environment Court

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

This court is the only Queensland court whose files are open to inspection for any litigant, lawyer or member of the public through eFiles, an online service which makes court documents available to everyone 24 hours a day, seven days a week. All active Planning and Environment Court files originating in Brisbane, Southport, Maroochydore, Townsville or Cairns are accessible through the Queensland Courts website [eCourts](http://www.courts.qld.gov.au) facility:

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

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

Overall, there was an increase in the number of lodgments this year. Statewide 507 new cases were filed this year up from 434 last year. This represents an increase in lodgments of 16.8%. Most of this increase occurred in Brisbane where there was an increase of 25.4% in the number of lodgments.

The court achieved a clearance rate of 98 per cent ending the year with 319 outstanding cases and having disposed of 497 matters. Of the outstanding cases, 26.6 per cent were more than 12 months old (from date of filing), and 14.7 per cent were more than 24 months old. Some cases may take this long due to the complexity of some matters and the number of parties involved in the hearings.

In Brisbane, where the longer cases are heard, the court ended the year with 263 outstanding cases having disposed of 422 matters, achieving a clearance rate of 96.1 per cent. Of the outstanding cases, 25.1 per cent were more than 12 months old and 13.3 per cent were more than 24 months old.

The court offers litigants a no-cost ADR service. This has been internationally recognised as providing visionary ADR access to justice. Approximately 95 per cent of cases are finalised without proceeding to a full hearing.

Childrens Court of Queensland

The Childrens Court of Queensland is a specialist jurisdiction established under the *Childrens Court Act 1992*. A separate annual report of the Childrens Court of Queensland is prepared under the *Childrens Court Act* and further details of the Childrens Court can be found in that report.

Judge Shanahan has been the president of the Childrens Court since February 2011. Currently there are 27 other judges who also hold commissions under this Act.

Regional centres

The lists in the seven regional centres at Cairns, Townsville, Rockhampton, Maroochydore, Southport, Ipswich and Beenleigh have been well maintained by the regional judges based in those centres.

Circuits

Through its circuit load, the court is accessible to those in remote, rural and regional Queensland so that matters can be heard and decided in a timely fashion no matter in what part of the state. The efficient allocation of judicial resources through circuit allocations improves the overall functioning of the court and, by reference to the efficiency and quality of its output, produces more consistent decision-making.

Indigenous and remote circuits

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

Overall

The court's performance, in view of its workload during 2014-15, has been creditable.

Practice Directions

During the year, 12 District Court Practice Directions were issued, and 9 were issued for the Planning and Environment Court.

The Focus Group

The Focus Group, chaired by the Senior Judge Administrator and comprising the Chief Justice, the President of the Court of Appeal, the Chief Judge, the Chief Magistrate and the Director-General, met with the Executive Director of the Supreme, District and Lands Courts Service and other senior officers throughout the year. Its purpose is to keep the courts informed about actual and proposed departmental initiatives for the state courts, to provide an opportunity for the courts to participate in the allocation of resources, and to ensure the regular monitoring of the courts' registry and administrative operations.

Rules Committee

The Rules Committee, chaired by Justice Douglas of the Supreme Court, included Justice Holmes and Justice Dalton, and from the District Court Judge McGill SC and Judge Dorney QC. The committee met at least weekly out of ordinary court hours.

Benchbook

The Supreme and District Courts Benchbook provides model directions for the judges conducting criminal trials, specifically designed to apply the *Criminal Code*, which in significant respects differs from the common law applied in some other states. It is a work of collegiate endeavour. During the year under report, Judge Shanahan, Judge Dick SC, Judge Rafter SC and Judge Martin SC were its District Court members. The committee works over extended periods updating and adding to this essential and important work.

Chief Judge's calendar

This year as in previous years, I sat in the various jurisdictions of the court, both in and out of Brisbane: including sittings in the regional centres of Cairns, Townsville, Southport and Rockhampton.

During the year I met with the leaders and representatives of the many organisations principally involved in the justice system, such as the Queensland Bar Association, the Queensland Law Society, the Director of Public Prosecutions, Legal Aid Queensland, law school academics, the Hon Philip Cummins, president of Court Network for Humanity, and the president and committee of Protect All Children Today

(PACT) and representatives of the College of Law Practical Legal Training (PLT) Program to advance the implementation of a specific associates' course, designed to enable associates to undertake the PLT for admission to the legal profession.

Aside from monthly judges' meetings, meetings of the judges' committees and the Supreme Court Library Committee, conferences and public events, I met regularly with the Chief Justice, the Attorney-General, the Director-General of the Department of Justice and Attorney-General and senior officers of the department, the Executive Director of the Supreme District and Land Courts Service and her deputies, the Sheriff, listings managers and Courts Information Technology staff and had regular meetings with leaders of the legal profession and justice system.

I attended meetings of the Council of Chief Judges, projects and meetings involved in the organisation of the District Court and its registries, meetings of the Supreme Court Library Committee, the Focus Group, and other conferences, seminars and forums in Queensland and elsewhere.

Continuing judicial professional development

During the year many of the judges spoke or presented papers at many important professional meetings and conferences, details of which appear in this report, as well as presiding over moots and speaking to schools and community groups. Details of the judges' judicial professional development involving overseas studies, seminars, programmes or conferences are published annually on the court website. Also, the court calendar is structured so that 2.5 days per annum is set aside for judicial professional development in banc. This time is especially important for the court – it is the only time that the court's 39 judges are together, as 13 of the judges have permanent chambers in various parts of Queensland outside Brisbane.

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

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

The Executive Director of the Supreme District and Land Courts Service, Ms Julie Steel, is also the Principal Registrar of the Supreme and District Courts and the registrar of the Planning and Environment Court and the Childrens Court of Queensland, and is supported by executive, administrative and registry staff throughout Queensland.

Associates' appointments

Associates are appointed by the Chief Judge pursuant to s36(2) of the *District Court of Queensland Act 1967*, who may remove or suspend associates by virtue of the *Acts Interpretation Act 1954*, s25. Associates are appointed as deputy sheriffs by the Chief Executive of the Department of Justice and Attorney-General (s213 of the *Supreme Court Act 1995*).

Access to the Court

Court Network

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

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

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

Queensland Public Law Clearing House

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

Self Represented Litigants Service

The Self Represented Litigants Service also began in December 2007. It is to be found on the ground floor of QE II Courthouse and is operated by staff from the court's civil registry who also provide advice of a non-legal nature. The service is designed to assist and support those litigants appearing in person in civil matters and provides both private meeting rooms in which to prepare for court as well as computer and printing access.

International aspects

On 25 November 2014, Judge Rackemann spoke to a delegation of town planners from the Solomon Islands who visited the court and watched a Planning and Environment Court hearing.

On 9 December 2014, Judge Rackemann spoke to a delegation from the Shanghai Police College.

On 14 and 15 March 2015, Judge Rackemann was a presenter at the International Conference on Global Environmental Issues held in New Delhi, India.

On 2 May 2015, Judge Butler AM SC was a presenter at the Judicial Orientation and Judgment Writing Program held by the National Judicial College of Australia in Honiara for judicial officers in the Solomon Islands

Judicial appointments

On 20 October 2014, I was appointed Chief Judge of the District Court of Queensland and sworn-in on 31 October 2014.

On 24 October 2014, Judge Paul Smith was appointed Judge Administrator of the District Court of Queensland and sworn-in on 31 October 2014.

On 27 October 2014, Mr Dean Morzone QC, was appointed a Judge of the District Court of Queensland and was sworn-in on 3 November 2014 in the Cairns courthouse.

On 3 November 2014, Judge Michael Burnett was appointed a Judge of the District Court of Queensland and sworn-in on 18 November 2014 in the QEII Courts of Law Brisbane. On 12 December 2014 a welcome ceremony was held for Judge Burnett in the Rockhampton courthouse.

On 10 November 2014, Ms Helen Bowskill QC was appointed a Judge of the District Court of Queensland and was sworn-in on 18 November 2014 in the QEII Courts of Law Brisbane.

On 24 November 2014, Ms Suzanne Sheridan was appointed a Judge of the District Court of Queensland and sworn-in on 1 December 2014 in the QEII Courts of Law Brisbane.

On 29 June 2015, Mr Anthony Moynihan QC was appointed a Judge of the District Court of Queensland and sworn-in on 24 July 2015 in the QEII Courts of Law Brisbane.

Judicial retirements

Chief Judge Patricia Wolfe AO, who was appointed to the District Court of Queensland on 31 January 1995 and appointed Chief Judge on 10 August 1999, retired on 19 October 2014.

Judge David Robin QC, who was appointed to the District Court of Queensland on 1 May 1990, retired on 19 October 2014.

Judge Milton Griffin SC, who was appointed to the District Court of Queensland on 29 October 2004, retired on 2 November 2014.

Judge Hugh Botting, who was appointed to the District Court of Queensland on 3 May 1989, retired on 26 June 2015.

Acknowledgement

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

I thank the judges, officers of the registry, the court's administrative staff, and the Director-General and his staff, for their dedication to the effective discharge of the court's undertaking during the year under review.

Profile of the District Court

Judges of the District Court

During the year under report the judges were:

Chief Judge	Her Honour Chief Judge Patricia Mary Wolfe AO (until 19 October 2014) His Honour Judge Kerry John O'Brien (from 20 October 2014)
Judge Administrator	His Honour Judge Kerry John O'Brien (until 19 October 2014) His Honour Judge Paul Edward Smith (from 20 October 2014)
Judges	His Honour Judge Hugh Wilfrid Harry Botting (until 26 June 2015) His Honour Judge Michael John Noud His Honour Judge Philip David Robin QC (until 19 October 2014) His Honour Judge John Mervyn Robertson (Maroochydore) His Honour Judge Douglas John McGill SC His Honour Judge Clive Frederick Wall RFD QC (Southport) His Honour Judge Nicholas Samios Her Honour Judge Deborah Richards (Ipswich) Her Honour Judge Sarah Bradley (Ipswich) His Honour Judge Michael John Shanahan Her Honour Judge Julie Maree Dick SC His Honour Judge Michael Edward Rackemann His Honour Judge Milton James Griffin SC (until 2 November 2014) Her Honour Judge Julie Ann Ryrrie His Honour Judge Ian Francis Macrae Dearden (Beenleigh) Her Honour Judge Fleur Yvette Kingham His Honour Judge Stuart Gordon Durward SC (Townsville) His Honour Judge Anthony John Rafter SC His Honour Judge Terence Douglas Martin SC His Honour Judge David Graham Searles His Honour Judge Gregory John Koppenol (Ipswich) His Honour Judge David Charles Andrews SC Her Honour Judge Leanne Joy Clare SC His Honour Judge William Garth Everson His Honour Judge Brian Gerard Devereaux SC Her Honour Judge Katherine Mary McGinness (Southport) His Honour Judge Kiernan Damian Dorney QC His Honour Judge Richard Stephen Jones His Honour Judge Brian Anthony Harrison (Cairns) His Honour Judge David Andrew Reid His Honour Judge John Richard Baulch SC (Townsville) His Honour Judge Gary Patrick Long SC (Maroochydore) His Honour Judge Bradley Wayne Farr SC His Honour Judge Alexander Adrian Horneman-Wren SC (also on QCAT duties) His Honour Judge Dean Patrick Morzone QC (from 27 October 2014) (Cairns) His Honour Judge Michael John Burnett (from 3 November 2014) (Rockhampton) Her Honour Judge Helen Patricia Bowskill QC (from 10 November 2014) Her Honour Judge Suzanne Catherine Sheridan (from 24 November 2014) His Honour Judge Anthony William Moynihan QC (from 29 June 2015)

Regional, planning and childrens court judges

Regional judges

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

Maroochydore	Judge Robertson Judge Long SC
Southport	Judge Wall QC Judge McGinness
Townsville	Judge Durward SC Judge Baulch SC
Rockhampton	Judge Paul Edward Smith (until 19 October 2014) Judge Michael John Burnett (from 3 November 2014)
Ipswich	Judge Richards Judge Bradley Judge Koppenol
Cairns	Judge Harrison Judge Everson (until 14 July 2014) Judge Morzone QC (from 27 October 2014)
Beenleigh	Judge Dearden

Planning and Environment Court

The Planning and Environment Court judges during 2014-15 are listed below:

Chief Judge Wolfe (until 20 October 2014)	Judge Andrews SC
Chief Judge O'Brien	Judge Everson
Judge Robin QC (until 20 October 2014)	Judge Dorney QC
Judge Robertson	Judge Harrison
Judge Wall QC	Judge Jones
Judge Rackemann	Judge Reid
Judge Griffin SC (until 2 November 2014)	Judge Durward SC
Judge Kingham	Judge Baulch SC
Judge Rafter SC	Judge Long SC
Judge Martin SC	Judge Morzone QC
Judge Searles	Judge Bowskill QC

Childrens Court of Queensland

The Childrens Court judges during 2014-15 are listed below:

Judge Shanahan – President

Chief Judge O'Brien

Judge Smith

Judge Robertson

Judge Wall QC

Judge Samios

Judge Richards

Judge Bradley

Judge Dick SC

Judge Griffin SC (until 2 November 2014)

Judge Dearden

Judge Kingham

Judge Durward SC

Judge Rafter SC

Judge Martin SC

Judge Clare SC

Judge Everson

Judge Devereaux SC

Judge McGinness

Judge Harrison

Judge Reid

Judge Baulch SC

Judge Long SC

Judge Farr SC

Judge Morzone QC

Judge Burnett

Judge Bowskill QC

The court

The work of the District Court

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

The District Court is the principal court in Queensland for trials of persons charged with serious criminal offences. Criminal trials are usually heard with a jury. Civil matters are normally heard by a single judge. The court exercises equitable and other jurisdiction within its civil monetary limit. The judges have adopted a protocol that, save in exceptional cases, judgments are to be delivered within three months of the conclusion of the hearing. The District Court hears all appeals from the Magistrates Courts. Many of the judges also sit as Planning and Environment Court judges and Childrens Court judges.

Some of the judges serve on committees with responsibility for developing and implementing policies and procedures for the continual improvement of the functioning of the courts. These include the Supreme and District Courts Benchbook Committee; the Supreme and District Courthouse Building Committee; the Learning and Development Committee; the Rules Committee and the District Court judges' committees.

Organisation of work

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

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

Criminal jurisdiction

In practice the court deals with all indictable matters other than homicides and the most serious drug offences. 81.4 per cent of all defendants charged on indictment came before the District Court in 2014-15. The court regularly conducts trials involving about 24 offences attracting a maximum penalty of life imprisonment.

The court deals with offences under Commonwealth and state drug laws as well as offences under the *Corporations Law*, the Commonwealth *Migration Act 1958* and against federal and state revenue laws.

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

For the larger circuit centres, Judge Robertson and Judge Long SC had special responsibility for the Bundaberg, Gympie and Kingaroy lists, Judge Botting (until his retirement) for Maryborough and Hervey Bay, Judge Dick SC for the Mackay lists and Judge Dearden for Mount Isa.

Many of the cases are reviewed or managed by the judge well before the trial date, to ensure that the prosecution has provided the defence with all witnesses' statements and particulars and that the defence has considered whether a s590AA hearing is required. In smaller centres the court conducts a 'running list'. In this way the court in these centres deals with its criminal workload having regard to the effect on the list of 'late' pleas and *nolle prosequi*.

Table 1: The activity of the District Court criminal list 2014-15

	Number of Defendants			Clearance Rate	Backlog Indicator	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	1,885	1,701	688	90.2%	16.0%	5.8%
Regional centres						
Beenleigh	401	411	188	102.5%	19.1%	3.7%
Cairns	503	484	109	96.2%	15.6%	7.3%
Ipswich	376	398	100	105.9%	6.0%	3.0%
Maroochydore	342	285	117	83.3%	13.7%	4.3%
Rockhampton	241	276	72	114.5%	11.1%	6.9%
Southport	551	503	205	91.3%	9.3%	0.5%
Townsville	429	352	145	82.1%	14.5%	2.8%
Total for Brisbane and regional centres	4,728	4,410	1,624			
Circuit centres						
Bowen	23	33	4	143.5%	25.0%	25.0%
Bundaberg	70	83	38	118.6%	10.5%	5.3%
Charleville	7	7	2	100.0%	50.0%	50.0%
Charters Towers	-	5	-	0.0%	0.0%	0.0%
Clermont	-	-	-	0.0%	0.0%	0.0%
Cloncurry	-	-	-	0.0%	0.0%	0.0%
Cunnamulla	-	-	-	0.0%	0.0%	0.0%
Dalby	6	16	16	266.7%	12.5%	6.3%
Emerald	20	29	5	145.0%	20.0%	0.0%
Gladstone	81	96	15	118.5%	6.7%	6.7%
Goondiwindi	12	13	2	108.3%	0.0%	0.0%
Gympie	26	38	3	146.2%	33.3%	0.0%
Hervey Bay	67	75	18	111.9%	11.1%	0.0%
Hughenden	-	-	-	0.0%	0.0%	0.0%
Innisfail	11	20	6	181.8%	16.7%	16.7%
Kingaroy	19	31	5	163.2%	0.0%	0.0%
Longreach	1	2	2	200.0%	0.0%	0.0%
Mackay	165	163	67	98.8%	14.9%	0.0%
Maryborough	27	46	16	170.4%	25.0%	6.3%
Mt Isa	27	59	29	218.5%	17.2%	3.4%
Roma	18	15	1	83.3%	0.0%	0.0%
Stanthorpe	1	3	3	300.0%	66.7%	0.0%
Toowoomba	225	188	32	83.6%	15.6%	0.0%
Warwick	19	28	13	147.4%	0.0%	0.0%
Total for circuit centres	825	950	277			
State total	5,553	5,360	1,901	96.5%	14.4%	4.3%

(1) Data extracted from QWIC for reporting purposes on 16/07/15

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

(3) Clearance rate: finalisations/lodgments

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

Civil jurisdiction

The ambit of the District Court's civil jurisdiction is described in s68 of the *District Court of Queensland Act 1967*, and many of its powers in s69. The court has an extensive general jurisdiction enabling it to deal with:

- all personal claims and any equitable claim or demand up to the monetary limit of \$750,000
- any claim (without monetary limit) referred to the court by the Supreme Court for assessment
- any claim where the parties consent to increase the monetary jurisdiction of the court
- actions to enforce by delivery of possession any mortgage
- actions to grant relief from mistake and for rectification
- actions seeking declarations and consequential orders arising from partnership disputes
- administration of estates where the estate does not exceed in value the monetary limit of the court
- family provision pursuant to the *Succession Act 1981*
- construction of deeds and other documents.

Some matters are disposed of by judges dealing with interlocutory applications in actions commenced by claims or originating applications. The more complex matters are case managed by the judges, leading to their early disposition.

The Report on Government Services (RoGS) unit of measurement for the civil jurisdiction is a case. Secondary processes, such as interlocutory applications, are excluded. RoGS files include all claims and originating applications.

A civil case is considered active if it has not been finalised by adjudication, transfer to another court, and settlement by mediation, default judgment, notification that parties have discontinued, or else is deemed to be resolved as, for example, where there has been no activity for 12 months.

Table 2: Clearance rate in civil cases

	RoGS Non Appeal Cases			Clearance Rate *	Backlog Indicator	
	Lodged	Finalised	Active		From filing date	
						% > 12 mths
Brisbane	4,285	4,165	3,895	97.2%	18.9%	3.7%
State Total	5,322	5,358	4,895	100.7%	20.4%	4.2%

*Clearance rate - finalisations/lodgments

Data extracted for reporting purposes on 16/07/15

Commercial List

The District Commercial List was established, in October 2010, pursuant to Practice Direction no 3 of 2010 in view of the increase in the court's monetary jurisdiction to \$750,000 from 1 November 2010.

The Commercial List judges are Judge McGill SC, Judge Andrews SC, Judge Dorney QC and Judge Bowskill QC.

Applications court

The *Uniform Civil Procedure Rules* provide for a proceeding to be commenced in some circumstances by an application, and also provide for an application to be made to the court in the course of a proceeding that will ultimately be dealt with fully at a trial or hearing.

Interlocutory and originating applications were dealt with quickly and efficiently by the court. There was no great delay for reasons associated with the court in hearing either type of application, at any centre where there is at least one resident judge.

Appellate jurisdiction

During the year this court heard and determined 408 criminal appeals and 56 civil appeals from the Magistrates Court.

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

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

Table 3: Clearance rate in criminal and civil appeals

	RoGS Appeal			Clearance Rate *	Backlog Indicator	
					From filing date	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Civil						
Brisbane	30	27	35	90.0%	45.7%	14.3%
State Total	61	56	51	91.8%	35.3%	9.8%
Criminal						
Brisbane	189	159	130	84.1%	16.9%	6.9%
State Total	448	408	249	91.1%	16.1%	4.8%

*Clearance rate - finalisations/lodgments

The Planning and Environment Court

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

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

The court exercises jurisdiction over a myriad of planning and/or environmental disputes. Matters are often complex and many have significant environmental, social and economic consequences. The court has unlimited monetary jurisdiction. It may make declarations and other orders; make interim enforcement orders and final enforcement orders; conduct full merits reviews of decisions of local governments and government entities; hear claims for compensation and punish for contempt.

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

Practice and procedure in the Planning and Environment Court is characterised by active list supervision, individual case management and the comprehensive deployment of ADR mechanisms.

The judges actively supervise the lists and their flexible case management achieves the just and expeditious resolution of the real issues in proceedings at a minimum of expense. The court's management of experts is recognised as one of the best in the common law world.

Almost 95 per cent of cases are finalised without proceeding to a full hearing. The court's ADR service is free of cost to the parties and is provided throughout the State. Parties may avail themselves of the ADR service by agreement or pursuant to an order of the court.

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

The *Sustainable Planning and Other Legislation Amendment Act 2012* took effect on 22 November 2012. It expanded the powers of the ADR Registrar. In particular, the ADR Registrar may now exercise a power of the court pursuant to a practice direction and may also hear and decide a proceeding where the court so directs. The court reissued Practice Direction 6 of 2013, which permits the ADR Registrar to make an order or issue directions about a proceeding in certain circumstances.

Practice Direction 7 of 2013 was also issued, replacing Practice Direction 1 of 2011. That practice direction encourages parties to disputes about infrastructure charges or development approval conditions to proceed quickly to dispute resolution before the ADR Registrar if they have not, within one month, applied to have the matter heard and determined by the ADR Registrar. This encourages the efficient and cost effective resolution or determination of those matters.

The number of active pending matters was 319, and the number of new matters was 507.

Table 4: Clearance rate in planning and environment cases

Planning and Environment Court 2014-15						
				Clearance	Backlog Indicator	
				Rate *	From filing date	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	439	422	263	96.1%	25.1%	13.3%
State Total	507	497	319	98.0%	26.6%	14.7%

*Clearance rate - finalisations/lodgements

Childrens Court of Queensland

The District Court judges appointed to the Childrens Court of Queensland determine some of the serious criminal charges brought against children. They also provide speedy access for the hearing of bail applications and sentence reviews, especially for young people being held on remand. They also determine appeals pursuant to section 117 of the *Child Safety Act 1999* and applications under the *Surrogacy Act 2010*.

The Children's Court of Queensland is a specialist jurisdiction established under the *Childrens Court Act 1992*. The President of the Court is Judge Shanahan. There are presently 26 judges of the Court holding commissions under the Act available to sit as Childrens Court judges.

A separate annual report of the Childrens Court of Queensland is prepared under the *Childrens Court Act 1992* and further details of the Childrens Court can be found in that report.

Regional centres

The court sits in Brisbane and the seven regional centres where 13 of the judges are based:

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

Judges also travel on circuit to other centres throughout the state. At most circuit centres and at some regional centres the judges rely on such registry support as is available from staff of the Magistrates Courts' service.

Cairns

Judge Everson (until 14 July 2014)

Judge Harrison

Judge Morzone QC (from 27 October 2014)

Judge Harrison and Judge Morzone QC were the resident judges in Cairns managing the court's lists there. This centre is also served by the Supreme Court's Far Northern Judge. The region includes Innisfail and Cape York. Both judges hold commissions in the Childrens Court and in the Planning and Environment Court. The judges undertook circuits in the Cairns region and elsewhere in the state. Some assistance was provided by judges on circuit from other centres.

In Cairns, with 503 new criminal matters, the court ended the year with 109 outstanding cases and disposed of 484 matters (a 96.2 per cent clearance rate). Of the outstanding cases, 15.6 per cent were more than 12 months old (from date of presentation of indictment), and 7.3 per cent were more than 24 months old. In its appellate criminal jurisdiction, the court at Cairns disposed of 33 criminal appeals, ending the year with 12 outstanding, a 100 per cent clearance rate.

On the civil side, 129 new cases were lodged at the court at Cairns. The court ended the year with 128 outstanding cases, disposing of 153 matters, reflecting a 118.6 per cent clearance rate. Of the active cases at the end of the year, 33.6 per cent were older than 12 months (from filing date) and 10.2 per cent were older than 24 months.

On the planning jurisdiction side, 7 new cases began in the court at Cairns. It ended the year with 4 outstanding cases, disposing of 11 matters, reflecting a 157.1 per cent clearance rate. Of the active cases at the end of the year, 50 per cent were older than 12 months (from filing date). None were older than 24 months.

Rockhampton

Judge Smith (until 24 October 2014)

Judge Burnett (from 3 November 2014)

The resident judge in Rockhampton, Judge Smith, who also holds a commission in the Childrens Court of Queensland, managed the court's Rockhampton lists. Rockhampton is also served by the Supreme Court's Central Judge. Judge Smith undertook circuits in the region and elsewhere in the state.

In Rockhampton, with 241 new criminal matters the court ended the year with 72 outstanding criminal cases and disposed of 276 matters (a 114.5 per cent clearance rate). Of the outstanding cases, 11.1 per cent were more than 12 months old (from date of presentation of indictment), and 6.9 per cent were more than 24 months old. The court disposed of 8 criminal appeals during the year.

On the civil side, 62 new cases were lodged, ending the year with 67 outstanding cases, disposing of 56 matters, reflecting a 90.3 per cent clearance rate. Of the active cases at the end of the year, 28.4 per cent were older than 12 months (from filing date) and 6 per cent were older than 24 months.

On the planning side, no new cases began in the court in Rockhampton. It ended the year with no outstanding cases.

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

Townsville

Judge Durward SC

Judge Baulch SC

Judge Durward and Judge Baulch were the resident judges during the year. Townsville is also served by the Supreme Court's Northern Judge. Judge Durward and Judge Baulch hold commissions in the Childrens Court and the Planning and Environment Court and they also undertake circuits in their region, which includes Palm Island. Some assistance was provided by judges on circuit from other centres.

In Townsville, with 429 new criminal matters (a decrease of 6.3 per cent on the previous year), the court ended the year with 145 outstanding criminal cases and disposed of 352 matters (an 82.1 per cent clearance rate). Of the outstanding cases, 14.5 per cent were more than 12 months old (from date of presentation of indictment), and only 2.8 per cent were more than 24 months old.

In its appellate criminal jurisdiction, the court at Townsville with 40 appeals lodged, ended the year with only 10 outstanding criminal appeals, disposing of 45 appeals, reflecting a 112.5 per cent clearance rate.

On the civil side, 215 new cases were lodged. The court ended the year with 181 outstanding cases, disposing of 223 matters, reflecting a 103.7 per cent clearance rate.

On the planning side, 15 new cases began in the court at Townsville. The court ended the year with 15 outstanding cases, disposing of 17 matters, reflecting a 113.3 per cent clearance rate.

Maroochydore

Judge Robertson

Judge Long SC

Judge Robertson is the senior judge. He and Judge Long hold commissions in the Planning and Environment Court and the Childrens Court.

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

In Maroochydore, with 342 new criminal matters (a decrease from the previous year of 10.2 per cent) the court ended the year with 117 outstanding criminal cases and disposed of 285 matters (an 83.3 per cent clearance rate). Of the outstanding cases, 13.7 per cent were more than 12 months old (from date of presentation of indictment), and 4.3 per cent were more than 24 months old.

On the civil side, 102 new cases were lodged in the court at Maroochydore. The court ended the year with 106 outstanding cases, disposing of 139 matters, reflecting a 136.3 per cent clearance rate. Of the active cases at the end of the year, 28.3 per cent were older than 12 months (from filing date) and 3.8 per cent were older than 24 months.

In the planning jurisdiction, 22 new cases began in the court at Maroochydore. The court ended the year with 21 outstanding cases, disposing of 28 matters, reflecting a 127.3 per cent clearance rate.

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

Southport

Judge Wall QC

Judge McGinness

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

In addition to the usual District Court work of the resident judges, Childrens Court and Planning and Environment Court cases were disposed of in Southport and each of the judges performed circuit work at centres elsewhere in the state.

In Southport with 551 new criminal cases the court ended the year with 205 outstanding criminal cases and disposed of 503 matters (a 91.3 per cent clearance rate). Of the outstanding cases, 9.3 per cent were more than 12 months old (from date of presentation of indictment), and only 0.5 per cent were more than 24 months old.

On the civil side, 291 new cases were lodged at Southport. The court ended the year with 285 outstanding case (a decrease of 10.7 per cent on the previous year), disposing of 323 matters, reflecting

a 111 per cent clearance rate. Of the active cases at the end of the year, 23.2 per cent were older than 12 months (from filing date) and 6 per cent were older than 24 months.

In its appellate criminal jurisdiction, the court at Southport with 39 new criminal appeals lodged, disposed of 50 appeals, reflecting a 128.2 per cent clearance rate. In its appellate civil jurisdiction, the court at Southport ended the year with 3 outstanding civil appeals, disposing of 13 appeals, reflecting a 144.4 per cent clearance rate.

On the planning side, 15 new cases began in the court at Southport. It ended the year with 11 active cases, disposing of 15 matters, reflecting a 100 per cent clearance rate. Of the active cases at the end of the year, 45.5 per cent were older than 12 months (from filing date) and 36.4 per cent were older than 24 months.

Ipswich

Judge Richards

Judge Bradley

Judge Koppenol

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

In Ipswich with 376 new criminal cases, the court ended the year with 100 outstanding criminal cases and disposed of 398 matters (a 105.9 per cent clearance rate). Of the outstanding cases, 6 per cent were more than 12 months old (from date of presentation of indictment), and 3 per cent were more than 24 months old.

In its appellate criminal jurisdiction, the court at Ipswich ended the year having disposed of 15 criminal appeals, achieving a 93.8 per cent clearance rate.

Beenleigh

Judge Dearden

Judge Dearden, the resident judge, also holds a commission in the Childrens Court of Queensland and manages the Beenleigh and Mount Isa lists. The judge also conducted circuits in Mount Isa and other centres. Considerable assistance was provided by judges on circuit from other centres.

In Beenleigh with 401 new criminal matters, the court ended the year with 188 outstanding criminal cases and disposed of 411 matters (a 102.5 per cent clearance rate). Of the outstanding cases, 19.1 per cent were more than 12 months old (from date of presentation of indictment), and 3.7 per cent were more than 24 months old.

In its appellate criminal jurisdiction, the court at Beenleigh disposed of 14 appeals, reflecting a 93.3 per cent clearance rate.

Circuit centres

Depending upon caseload, District Court jury trials may be held in 24 circuit centres (excluding those with a resident judge), and the judges also travel to the 15 remote or Aboriginal and Torres Strait Islander communities throughout the state, for sentencing and some civil matters.

Judges sit in the court's appellate, criminal, civil and applications jurisdictions, as well as in the Planning and Environment Court and the Childrens Court of Queensland while on circuit.

The 37 centres (excluding those with a resident judge) where judges sit on circuit during the year are: Aurukun; Bamaga; Bowen; Bundaberg; Charleville; Charters Towers; Cloncurry; Cooktown; Cunnamulla; Dalby; Doomadgee; Emerald; Gladstone; Goondiwindi; Gympie; Hervey Bay; Innisfail; Kingaroy; Kowanyama; Lockhart River; Longreach; Mackay; Maryborough; Mornington Island; Mount Isa; Murgon; Normanton; Palm Island; Pormpuraaw; Roma; Stanthorpe; Toowoomba; Thursday Island; Warwick; Weipa/ Napranum; Woorabinda; Yarrabah.

Judicial professional development

During the year under review -

- Judge Shanahan represented the court on the Judicial Conference of Australia Governing Council
- Judge Shanahan served on the National Judicial College of Australia Planning Committee on Jury Management
- Judge Dearden was a member of the USQ Law School Advisory Committee.

The judges of the Planning and Environment Court and the ADR Registrar also engaged with those interested in the jurisdiction. Judge Rackemann addressed ACPECT, the National Environmental Law Association Conference, the Queensland Environmental Law Conference, the North Queensland Law Association Conference as well as post graduate students at the University of Queensland. The ADR Registrar, in conjunction with the Queensland Environmental Law Association conducted a very popular and highly successful series of 10 seminars (the Taylor Made Series) designed for the benefit of junior practitioners.

The continuing professional development of the judges was actively pursued during this year. The Standard for Judicial Professional Development in Australia was adopted and confirmed by the judges of this court soon after its adoption by the Council of Chief Judges in 2007. The judges are reminded frequently of the importance of undertaking continuing judicial professional development and of the Standard. There is a high standard of compliance with the Standard by the judges of the District Court.

All judges also presented papers or participated in seminars or conferences during the year. Details of the judges' judicial professional development involving overseas studies, seminars, programmes or conferences are published annually on the court website. Also, the court calendar is structured so that 2.5 days per annum is set aside for judicial professional development in banc. This time is especially important for the court – it is the only time that the court's 38 judges are together, as 13 of the judges have permanent chambers in various parts of Queensland outside Brisbane.

The judges value the important support offered by the National Judicial College of Australia, as well as the assistance of the Australian Institute of Judicial Administration, the Judicial Conference of Australia and the Judicial Commission of NSW in furthering judicial professional development. All newly appointed judges benefit from the National Judicial Orientation program.

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

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

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

Ms Steel is the Vice President of Court Network, having been a Board member for four years. Julie is an ex-officio member of the Incorporated Council of Law Reporting, and of the Legal Practitioners Admissions Board, and also a Board member for Protect all Children Today. She is also a member of the Public Records Review Committee at Queensland State Archives, and of the Supreme Court Library Committee, and regularly attends meetings of the Rules Committee.

Registry Services

Court registries are responsible for:

- receiving and sealing documents for filing and service
- providing information about the general court process and the progress of particular matters

- maintaining court records and ensuring that documents are created and distributed to give effect to orders of the court
- organising resources to enable matters to progress through the system and hearings to proceed
- performing all necessary administrative work associated with the criminal and civil jurisdictions of the court.

Permanent District Court registries are located at Brisbane, Rockhampton, Townsville, and Cairns. Registrars at those centres have the responsibility of determining certain applications without the necessity for judicial involvement, such as default judgments. Further District Court registries are located at Beenleigh, Ipswich, Maroochydore and Southport. Other centres throughout Queensland are visited on circuit, and local Magistrates Courts staff perform the registry duties at those times.

The online *eSearch* facility was again used significantly during 2014-15, with over 2,000,000 online searches conducted.

Registry workloads

Following the trend of recent years, civil lodgments decreased across the state during 2014-15, down by 3.9% when compared to 2013-14. In the Brisbane registry, there was a decrease of 0.4%.

In the criminal jurisdiction, lodgments increased by 6.1% across the state during the year. There was an increase of 14.8% in criminal lodgments in Brisbane.

There were 532 criminal trials in Queensland during 2014-15, compared to 548 for the previous year, with the average trial lasting 3.1 weekdays, a slight decrease from last year's figure of 3.2 weekdays.

Service improvements

The Court's commitment to improving registry services has meant that the initiatives referred to in last year's Annual Report have continued to grow. Through the Court's website: www.courts.qld.gov.au, court users can:

- Make search and copy requests for criminal and civil files of the District Court anywhere in the State online and receive the documents without ever needing to come into a courthouse
- Apply for and have issued a subpoena in the criminal jurisdiction of the District Court completely online
- Complete a statement of financial position electronically
- Book a room at the Queen Elizabeth II Courts of Law in Brisbane

All of the online forms are interactive, providing tips to enable accurate completion while using progressive disclosure so that the user is guided to only complete those parts of the form that are required depending on the information provided earlier in the form.

Prospective jurors across Queensland became able to complete the juror questionnaire online during the year. The online process enables prospective jurors to complete an interactive form online that is submitted and received by the registry electronically. In addition, information and education material was developed to enable students and the community to find out more about jury service. This material – which includes a DVD about selection for juror service – is also available on the Court's website. It was developed following extensive research about the community's perception of jury service and the actual experience of jurors to provide useful and accurate information about jury service.

Court Network volunteers

As always, I thank the Court Network volunteers for the invaluable contribution they make to the courts each year. They receive extensive initial training, regular continuing education and ongoing supervision. As well as providing court users with a safe place in the courthouse, the Networkers offer in-court support, explain court process and procedure, and provide emotional support to any court user whether applicant, respondent/defendant, victims, witnesses or family/friends. Through its volunteers, statewide freecall number and website, Court Network can refer to and receive referrals from community agencies and government departments which can provide continuity of care to court users as they navigate their way through the judicial system.

Court Network provides two core services within the Brisbane Supreme and District Courts. The first is the information and Justice of the Peace service based at the Information Kiosk on the ground floor.

This program saw 8,801 court users assisted during 2014-15. The service commenced in 2007 and since then, 55,529 court users have been assisted.

The second program is the 'Networker' program where Volunteers provide support, non-legal information and referral services to court users by way of outreach and through incoming referrals from various services, departments and individuals. During the year, 3,683 court users were assisted in Brisbane, 604 in Townsville and a further 335 in Cairns. This program has assisted 35,064 court users in Queensland since commencing.

The Victim Support Unit referred to in last year's report has continued to develop. In Brisbane, there were 52 referrals for assistance provided in the District Court and eight in the Supreme Court during 2014-15. There was a further 56 referrals at the Ipswich District Court. Since this service commenced in September 2013, much needed support has been provided to 153 victims and family or friends, and witnesses.

Protect all Children Today (PACT) Inc.

I also acknowledge the invaluable work undertaken by PACT to enhance child protection and reduce the trauma experienced by children and young people aged 3-17 years who are required to give evidence within the Criminal Justice System as victims or witnesses. PACT has the following objectives:

- To seek to represent to the State and Federal Governments and other agencies, the needs of children and their non-offending family members who have been victims of, or witnesses to, crime.
- To endeavour to assist in community education in relation to children and young people, especially those involved in the Criminal Justice System.
- To co-ordinate and provide support services to assist child and young person victims and witnesses of crime.
- To seek changes to legislation and the Criminal Justice System to ensure adequate protection for young victims and witnesses of crime.
- To work collaboratively and seek input from the community and professionals in the planning and delivery of high quality services.
-

PACT is also responsible for the Child Witness Support Program, which provides support for child witnesses by using selected and trained Child Witness Support Volunteers. The program's goal is to allow child witnesses aged 3-17 years the best opportunity to provide their evidence to the court by removing, where possible, the uncertainties and anxieties associated with the court process.

During 2014-15, PACT provided support to 1,576 children. Of those children, 68% were females and 32% were males, and 69% of the charges involved related to offences of a sexual nature.

Acknowledgements

The ongoing enthusiasm, commitment and professionalism of registry staff in discharging their duties are without doubt, some of the most significant assets of the Court. Workloads are managed efficiently and the many challenges and changes that arise are embraced.

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

Related organisations

Supreme Court of Queensland Library

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

The library maintains print collections in eight provincial courthouses in addition to the main library collection in Brisbane at the QEII Courts of Law. In 2014-15 our library's combined print collection

totalled 160,000 items, with the library purchasing 233 new monographs and maintaining subscriptions to 615 print journals, legislation services and law reports series. For members of the judiciary, their statewide desktop access to an expanding collection of online resources available via the library's *Judicial Virtual Library* (JVL) is their most comprehensive, current and reliable source of legal information. In 2014-15 the library catalogue listed over 400 online resources, which enabled access to over 65,000 online full text titles. The library also continues to service the chambers collections by undertaking regular maintenance of print subscription services and processing new acquisitions.

The library provides a range of current awareness services to judges and their associates, including the *Current Awareness Bulletin* service, a daily news and current awareness newsletter tailored for the Queensland judiciary, as well as the *Queensland Legal Updater*, a weekly email bulletin designed to update legal professionals on changes to legislation and developments in case law relevant to legal practice in Queensland.

During 2014-15 the library continued to lead negotiations for subscription renewals on behalf of the courts, making substantial progress in negotiating new multi-year subscription agreements with the major legal publishers. When concluded, these agreements will enable our library to deliver a wider range of more relevant material (mostly in online and downloadable electronic form) to judges at no additional real cost to the court.

As the publishing arm of the Queensland courts, the library has maintained its commitment to prioritising the publication of full text judgments from Queensland courts and tribunals. Most decisions are published online within an hour of being handed down, making the SCLQ website the primary and most current and authoritative access point for Queensland case law. In 2014-15 the library published 2,299 new decisions from Queensland courts and tribunals, including 188 judgments from the Court of Appeal and 315 from the Trial Division of the Supreme Court. This increased the total number of full text Queensland decisions available from the library website to 30,876.

During 2014-15 the library's Information Services team continued to assist the judiciary and legal profession with navigating available legal research tools within the library's print and online collections. The team responded to a total of 9,493 information enquiries, comprising 3,835 reference, 173 research and 5,485 document delivery requests. A total of 11,750 documents were supplied in response to these queries.

Our library's websites now comprise the primary means of accessing our library's information resources and services for the majority of its customers. In 2013-14 more than 5.9 million page views were recorded from the SCLQ website, JVL and library catalogue combined. Research tools, including the Criminal Codes Appellate Decisions Database, Queensland Legal Indices, and the Uniform Civil Procedure Rules Bulletin are available via the CaseLaw Plus tab. CaseLaw services recorded more than 2.6 million page views over the year.

From 1 July 2013 total responsibility for provision and maintenance of the Queensland Sentencing Information Service (QSiS) was transferred to the library from the Department of Justice and Attorney-General (DJAG). In its second year at SCLQ usage of the service grew by 36%, with the number of times it was accessed increasing from 366,248 in 2013-14 to 497,894 in 2014-15. QSiS is relied upon by prosecutions, defence and the judiciary to promote consistency and fairness in sentencing criminal offenders, and is available to all judges and their associates.

During 2015-16, there will be a continued focus by the library on providing a high level of support to Queensland's busy judges. This will include provision of access to a wider range of 'go anywhere' electronic versions of popular legal loose-leaf publications designed to be downloaded to tablets and other mobile devices, as well as training and support in identifying, locating and making more effective and efficient use of the range of print, electronic and online resources available to the judiciary. Substantial improvements to the way in which our library provides access to the decisions of Queensland's courts and tribunals are also planned for 2015-16.

Appendices

Appendix 1: Practice Directions

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

District Court of Queensland

Table 5: District Court practice directions

Number	Description	Date issued
2014/05	Designation of Court holidays – Brisbane Registry – 10 November to 13 November 2014	15 August 2014
2014/06	Designation of Court holidays – Registry 22 December 2014 to 2 January 2015	15 August 2014
2014/07	Notice of change of name and Address for Service – Jones King Lawyers	28 August 2014
2014/08	Notice of change of name – CLS Lawyers	16 September 2014
2014/09	Management of Controlled Items in Court Precincts	9 October 2014
2014/10	Electronic Devices in Courtrooms	9 October 2014
2014/11	Notice of Change of name – Trilby Misso Lawyers	9 October 2014
2014/12	Digitally recorded proceedings: Means of identifying proceeding, those appearing, and witnesses	13 October 2014
2014/13	Serious Drug Offence Certificates	14 October 2014
2014/14	Change of name – Reliance Lawyers	15 December 2014
2015/01	Change of name – MSB Lawyers	4 February 2015
2015/02	Change of name – McKays Solicitors Pty Ltd (Mackay branch)	14 May 2015

Planning and Environment Court

Table 6: Planning and Environment Court

Number	Description	Date issued
2014/03	Designation of Court holidays – Brisbane Registry – 10 November to 13 November 2014	15 August 2014
2014/04	Designation of Court holidays – Registry 22 December 2014 to 2 January 2015	15 August 2014
2014/05	Notice of Change of name – Trilby Misso Lawyers	9 October 2014
2014/06	Electronic Devices in Courtrooms	9 October 2014
2014/07	Digitally recorded proceedings: Means of identifying proceeding, those appearing, and witnesses	13 October 2014
2014/08	Power of ADR Registrar to make Orders or issue directions	30 October 2014
2014/09	Change of name – Reliance Lawyers	15 December 2014
2015/01	Change of name – MSB Lawyers	4 February 2015
2015/02	Change of name – McKays Solicitors Pty Ltd (Mackay branch)	14 May 2105

Appendix 2: District Court associates as at 30 June 2015

David McGrath	Associate to His Honour Chief Judge KJ O'Brien
Cecelia Bernardin	Associate to His Honour Judge PE Smith
Jodi Lewry	Associate to His Honour Judge HWH Botting
Andrew Quinn	Associate to His Honour Judge MJ Noud
Danielle Fitton	Associate to His Honour Judge JM Robertson (Maroochydore)
Sinead Westaway	Associate to His Honour Judge DJ McGill SC
Hannah Brown	Associate to His Honour Judge CF Wall QC (Southport)
Gabriel Bednarek	Associate to His Honour Judge N Samios
Emily Anderson-James	Associate to Her Honour Judge D Richards (Ipswich)
Bradley Edridge	Associate to Her Honour Judge S Bradley (Ipswich)
Thomas Serafin	Associate to His Honour Judge MJ Shanahan
Lindsay Hope	Associate to Her Honour Judge JM Dick SC
Nikki Parker	Associate to His Honour Judge ME Rackemann
Brandon Hoffler	Associate to Her Honour Judge JA Ryrle
Mikayla Kuhne	Associate to His Honour Judge IFM Dearden (Beenleigh)
Grace Devereaux	Associate to Her Honour Judge FY Kingham
Molly Mahlouzarides	Associate to His Honour Judge SG Durward SC (Townsville)
James Collins	Associate to His Honour Judge AJ Rafter SC
Michael O'Brien	Associate to His Honour Judge TD Martin SC
Alexander Button-Sloan	Associate to His Honour Judge DG Searles
Hannah O'Connor	Associate to His Honour Judge GJ Koppenol (Ipswich)
Natalia Kamusinski	Associate to His Honour Judge DC Andrews SC
Alexandra Ganis	Associate to Her Honour Judge LJ Clare SC
Madeleine Howarth	Associate to His Honour Judge WG Everson (Cairns)
Brianna Lee	Associate to His Honour Judge B Butler AM SC
Bronwen Peberdy	Associate to His Honour Judge BG Devereaux SC
Eleanor Lynch	Associate to Her Honour Judge KM McGinness (Southport)
Holly Stjernqvist	Associate to His Honour Judge KD Dorney QC
Georgina Taylor	Associate to His Honour Judge RS Jones
Joshua McDiarmid	Associate to His Honour Judge BA Harrison (Cairns)
Tara Bosworth	Associate to His Honour Judge DA Reid
Brigid Paterson	Associate to His Honour Judge JR Baulch SC (Townsville)
Matthew Jackson	Associate to His Honour Judge GP Long SC (Maroochydore)
Alice Pinkerton	Associate to His Honour Judge BW Farr SC
Lachlan Grant	Associate to His Honour Judge AA Horneman-Wren SC
Patrick Nevard	Associate to His Honour Judge DP Morzone QC (Cairns)
Luke Walker	Associate to His Honour Judge MJ Burnett (Rockhampton)
Daniel Welsh	Associate to Her Honour Judge HP Bowskill QC
Bianca Shaw	Associate to Her Honour Judge SC Sheridan