

PRACTICE DIRECTION NUMBER 18 OF 2022

SUPREME COURT OF QUEENSLAND

DIGITALLY RECORDED PROCEEDINGS: MEANS OF IDENTIFYING PROCEEDINGS, THOSE APPEARING, AND WITNESSES

Digital recording of court proceedings in the State of Queensland is now being undertaken by two outsourced Transcript Service Providers (TSP) namely VIQ Australia and EPIQ.

The system being used does not require the physical presence within the courtroom of any TSP 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 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:
 - (a) For criminal matters:
 - (i) the Office of the Director of Public Prosecutions will upload its witness list directly to QTranscripts no later than the day before the matter is listed to commence; and
 - (ii) the Commonwealth Director of Public Prosecutions will, no later than the day before the matter is listed to commence, provide the witness list to the

presiding judge's associate, for uploading to QTranscripts.

- (b) For civil and other proceedings, a party will, no later than the day before the matter is listed to commence, provide the witness list to the presiding judge's associate for uploading to QTranscripts.
2. In a criminal trial, the requirement in paragraph 1(a) applies only to the prosecution. However, if a witness is called in a criminal matter by the defence, the legal representative appearing must ensure the witness' name is clearly identified for the transcript, including by spelling the name.
3. The witness list must contain the following information:
 - (a) the full title of the trial or hearing;
 - (b) the commencement date of the trial or hearing;
 - (c) the name of the judge presiding (if known); and
 - (d) the full names of the witnesses intended to be called.

Announcing a proceeding

4. 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 or, at the judge's direction, 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.
5. In all other cases, principally trials, appeals and hearings in the Applications list, the presiding judge will direct the proper officer of the court, usually the associate, to “call the matter”, that is, to state the parties to the proceeding and the file number.

Announcing appearances

6. Except at call-overs, a party appearing in a proceeding, whether a legal representative or a person appearing without legal representation, will, at the commencement of

proceedings, state:

- (a) their surname and initials (spelling the surname);
- (b) the professional capacity, if any, in which they appear;
- (c) the party or parties whom they represent, 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

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

Appearance slips

- 8. A party appearing in a proceeding must complete an appearance slip and provide two copies to the bailiff as, or immediately before, appearances are announced.

Repeal of former practice directions

- 9. Practice Directions 1/1977 and 7/2014 are repealed.

Commencement

- 10. This Practice Direction takes effect from 8 August 2022.



Helen Bowskill
Chief Justice
28 July 2022