
DISTRICT COURT OF QUEENSLAND
ANNUAL REPORT 2003–2004



District Court
of Queensland

28 October 2004

The Honourable R.J. Welford MP
Attorney-General and Minister for Justice
18th Floor
State Law Building
Cnr George and Ann Streets
BRISBANE QLD 4000

Dear Attorney

Pursuant to s.130A(1) of the *District Court Act 1967*, I enclose my Report on the operation of the District Court for the year ended 30 June 2004.

Yours sincerely

Chief Judge PM Wolfe

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The Chief Judge's Overview



Her Honour Chief Judge PM Wolfe

INTRODUCTION

This report relates to the operation of the District Court of Queensland in the year ended 30 June 2004. It is the court's eighth report and the first presented in CD-ROM format as well as in print. In order to focus on information specific to the year 2003-2004, this report is more succinct than earlier reports. Much of the background information contained in earlier reports is not repeated here, as that explanatory material appears in those reports.

The report was prepared in consultation with the Judges, in particular with the convenors of the Judges' committees, the regional Judges and the Judges with particular responsibilities for the court's specialist courts and tribunal.

This year the court had fewer available judicial resources than it has had for many years, with the deficit in the second half of the year under report equivalent to three fewer Judges available for sittings. This hampered the efficient performance of the court, affecting the lists and reducing the number of circuits.

In the last annual report, I drew attention to our inability to pursue initiatives because of limitations on the resources made available to the court. Those concerns remain largely unaddressed, although resources have been applied to dealing with the workplace health and safety issues. A substantial issue concerns the maintenance and eventual reconstruction or replacement of the Law Courts Complex in Brisbane.

PERFORMANCE

Again the court, and its adjuncts, the Planning and Environment Court, the Childrens Court of Queensland and the Health Practitioners Tribunal, have performed creditably. The comprehensive table of statistics for the court's workload and the rates of disposition for the year under report are set out in Appendix 1.

Disposition of Criminal Caseload

This year there was a significant increase in the number of criminal matters disposed of in many of the major centres in the south-east Queensland and in Rockhampton where disposals increased by almost 75%

In Brisbane, the court began the year with 836 active outstanding cases and ended it with 855, but it disposed of 2768 criminal matters, 55 more than in the previous year. 71.9% of these matters were disposed of within 6 months, slightly down from last year (76.9%). In Southport, the court disposed of 618 criminal matters (549 in 2002-2003); 607 in Beenleigh (574 in 2002-2003) and Maroochydore remained steady. The downturn in dispositions in Ipswich (493 this year, 531 last year) reflects the current lack of judicial resources. However the downturn in Townsville and Cairns was the result of a 30% drop in new indictments. These figures are exclusive of the matters dealt with by Judges sitting in the Childrens Court of Queensland.

Disposition of Civil Caseload

In Brisbane, there were 3918 new matters filed, an increase of 399 compared with the previous year. This was represented by 1474 originating applications, 790 more than the previous year, and 2444 claims, 285 fewer than the previous year. Although there has been a decrease in the number of matters entered for trial, this has been more than offset by the large increases in the court's applications and appeals load as well as the increase in the Planning and Environment Court workload of more than 20%.

The year began with 71 civil cases awaiting a trial and ended with 72. During the year 267 matters were entered for trial (352 in the previous year), and 268 matters disposed of (394).

In Brisbane and most of the other major centres, all cases were disposed of within 12 months of entry for trial. In Brisbane, 88.5% of such cases were disposed of within 6 months of entry for trial, in Southport and in Cairns 77.2% within 6 months, in Townsville 63.2%, and in Maroochydore 61.1%.

In addition to its trial work, the court experienced a surge in its annual applications load, with 3631 matters heard during the year (3044 in the previous year), with 1997 of these in Brisbane (1421 last year).

These statistics do not include the matters dealt with by Judges sitting as Judges of the Planning and Environment Court or constituting the Health Practitioners Tribunal. Those tables of statistics appear in Appendix 1.

Disposition of Planning and Environment Court Caseload

The Planning and Environment Court as presently structured - its Judges being Judges of the District Court, its registrar the Principal Registrar of the District Court and the Supreme Court - is a de facto division of the District Court. Accordingly the Planning and Environment Court has the confidence of the community, and enjoys all the advantages of the District Court's many courthouses, registries, support staff and technology.

Its workload has increased significantly as have the number of matters of which it disposed. This year there were 601 new cases, compared with 490 last year and 438 in 2001-2002. Similarly this year, the court disposed of 589 matters, compared with 401 last year, and 348 in 2001-2002.

In Brisbane there were 487 new matters - up from 412 last year and 324 in 2001-2002 - and 160 more matters were disposed of in the year under review than in the previous year - 456 this year compared with 296 in 2002-2003. 44.3% of cases were disposed of within 6 months.

The increases in the number of new matters and disposals were reflected in many major centres. In Maroochydore for example there were 42 new cases and 44 disposals (compared with 24 new cases and 36 disposals in 2002-2003) with 63.7% disposed of within 6 months, in Southport 37 new cases and 58 disposals (39 and 45) with 46.6% within 6 months and in Cairns, 19 new cases and 17 disposals (2 and 15) with 33.3% within 6 months.

Disposition of Appeals

The District Court hears all appeals from the Magistrates Courts, including criminal appeals pursuant to s.222 of the *Justices Act* 1886. It also determines appeals from the Commercial and Consumer Tribunal, other tribunals and statutory bodies. 221 appeals were heard at major centres, 39 fewer than in 2002-2003. The court in Brisbane disposed of 97 appeals.

Circuits

The court is committed to allocating sufficient sittings for the circuit centres throughout the State to enable matters to be heard and decided in a timely fashion in regional, rural and remote parts of Queensland. The number of circuits may vary from year to year according to regional workloads and judicial resources.

During the past 12 months with the significant reduction in judicial resources, there was a corresponding reduction in the number of circuits undertaken - 328 weeks circuit in the 2003 calendar year, compared with 370 weeks circuit during 2002.

Remote Circuits

Nonetheless the court undertook its regular circuits to the remote Aboriginal and Torres Strait Islander communities in the Cape, Lockhart River and Thursday Island, and to the Gulf and Mornington Island. Importantly, at the instigation of Judge Robert Pack, the court has begun its regular circuits to Palm Island. Judge Pack presided over the first circuit there on 27 April 2004.

On 1 September 2003 the convenor of the Judges' Aboriginal and Torres Strait Islander Committee, Judge Michael Shanahan, circulated the "remote circuits protocol" for the Judges, which was developed by Judge Bradley and the committee. The protocol aims to assist with some of the important cultural and practical matters which concern or may arise during a remote circuit.

On 10 May 2004 Judge Dodds, Judge Shanahan and I visited Cherbourg to meet members of the Community Justice Group, the Community Mayor, Justices of the Peace, the resident police officer and representatives of the Wakka Wakka Legal Service to discuss the possibility of the Judges hearing sentences at Cherbourg and Murgon, and conducting jury trials at Murgon. If jury trials were held in Murgon, defendants from the Murgon or Cherbourg areas could be tried by people from those areas, instead of being tried in Kingaroy. Following the Cherbourg meeting, Kingaroy circuit Judges have commenced hearing sentences at Murgon.

Comparative Performance¹

Litigants continued to experience minimal delay from readiness for trial to hearing and judgment in comparison with other States. In Brisbane, trial dates were available to be offered to nearly all parties at the first callover at which the matter was listed.

The 2004 Report on Government Services, which relates to performance in the 2002-2003 year, indicates that the court performed well compared with the District and County Courts of other states. It shows that in that year this court disposed of 71.8% of its criminal cases within 6 months, and 91.4% within 12 months, which compares most favourably with South Australia (60.3% within 6 months, 84.5% within 12 months), Victoria (55.1% within 6 months, 83.6% within 12 months),

¹ 2004 Report on Government Services released in January 2004 by the Steering Committee for the Review of Commonwealth/State Service Provision

Western Australia (63.2% within 6 months, 74.3% within 12 months) and New South Wales (68.8% within 6 months, 91.8% within 12 months).

In the civil jurisdiction this court disposed of 38.5% of its cases within 6 months, which compares with South Australia (43.3% within 6 months), Victoria (22%), Western Australia (31.9%) and New South Wales (17.3%).

Chief Judge's Calendar

Apart from the time allotted for administrative responsibilities, I sat in Brisbane in the criminal and appeals courts (15 weeks), in the civil, applications, planning and environment and Health Practitioners Tribunal (6 weeks), as well as on circuit (7 weeks) in Cairns, Toowoomba, Southport and Maroochydore. Aside from monthly Judges' meetings, meetings of the Judges' committees and the Supreme Court Library Committee, conferences and public events, I regularly met with the Chief Justice, the Attorney-General, the Director-General of the Department of Justice and Attorney-General and senior officers of her department, the Principal Registrar, the Court Administrator, the Sheriff, listings managers and Higher Courts IT staff.

During the year I met regularly with the leaders and representatives of the many organisations principally involved in the justice system - the Queensland Bar Association, the Queensland Law Society, the Director of Public Prosecutions, Legal Aid Queensland, the Public Defender and Protect All Children Today (PACT), and in particular to advance the practical implementation of Division 4A of the *Evidence Act 1977* (the affected child witness provisions).

I also attended meetings of the Council of Chief Judges, the Chief Justice's Focus Group, the Higher Courts IT Steering Committee, the Project Steering Committee of the Review of the Supreme and District Courts Criminal Listing Systems as well as the Review Advisory Committee of the review of the Office of the Director of Public Prosecutions and its interrelationship with the Department of Justice and Attorney-General, chaired by the Director-General, Ms Rachel Hunter.

Practice Directions

During the year, four Practice Directions were issued².

Benchbook

This year the Supreme and District Courts' Benchbook, which is a scholarly collection of sample directions and other material for use in the criminal court, was officially launched on 29 March 2004 by the Chief Justice. This work was largely coordinated by the following Judges: Mr Justice McPherson, the former Justice Thomas, Justices Jerrard, Mackenzie, Byrne, Holmes and Philippides and Judge Robertson, Shanahan and Dick SC of the District Court. The Benchbook is also published on the Courts webpage www.courts.qld.gov.au.

Guide for Juries

In November 2003 the Higher Courts issued a *Guide to Jury Deliberations*, endorsed by the Judges, for distribution to members of juries. The purpose of the booklet is to encourage efficiency in the deliberation of juries when considering their verdicts.

² see Appendix 2

Rules Committee

The Rules Committee, chaired by Mr Justice Williams, includes the Chief Justice, Mr Justice Muir and Justice Wilson from the Supreme Court, Judge Robin QC and Judge McGill SC from the District Court and the Principal Registrar. It met at least fortnightly out of court hours.

Court Management

The staff of the senior management group developed the "Queensland Higher Courts Support Strategic Plan 2004-2008", which on 8 April 2004 was presented to the Director-General. Its purpose is "to describe the strategic directions that the staff of the Supreme and District Courts of Queensland intend to follow over the next four year period". It is heavily service-oriented, and sets concrete objectives and performance outcomes against which actual performance levels will be measured.

In April 2004 the Court Administrator with the assistance of the senior management team put together and published in electronic form the first edition of a newsletter of the Supreme and District Court staff, called 'Courterly'.

CONTINUING JUDICIAL EDUCATION

The Judges held their tenth annual Pre-Easter Conference from 7-8 April 2004. Presenters included Dr Geraldine Mackenzie, ("The Courts, the Sentence and the Community"); Dr Attracta Lagan ("Adapting to Change"); Mr Geoff Wilson ("Reasoning and exercise of discretion - the pathway to determining property adjustment orders"); Dr Jill Reddan ("Issues in post-traumatic stress disorder"); Judges O'Sullivan, Robertson, McGill SC and Dick SC also presented papers on childrens evidence, sentencing and other developments in the criminal law and the assessment of general damages under the *Civil Liability Act 2003*.

The Judges holding commissions in the Childrens Court met in conference on 5 April 2004. The Planning and Environment Court Judges' held their Conference on 6 April. Papers presented included those by senior officers of the Department of Local Government and Planning, Mr Graeme Ballard, Mr Stan Wypych and Mr Jesse Chadwick on IPA compliant planning schemes, and by Dr Richard Hyde on "Recent developments in sustainable building and design".

NEW LEGISLATION

Juvenile Justice Amendment Act 2002

This Act came into force on 1 July 2003 with the effect that in respect of offences committed after that date, a District Court Judge generally has no jurisdiction over a child charged with an indictable offence unless a Childrens Court Judge is unavailable.

Amendments to the Evidence Act

On 18 September 2003 assent was given to the *Evidence (Protection of Children) Amendment Act 2003* which inserted Division 4A into the *Evidence Act 1977*. These amendments, providing for the evidence of affected child witnesses to be taken and pre-recorded from a remote witness room prior to trial, came into operation on 5 January 2004. The amendments had operational ramifications for the court. The court decided that the most efficient way to ensure the security of videotapes of affected child witnesses' pre-recorded evidence, wherever the evidence is taken in Queensland, was to provide that the Principal Registrar has custody of the videotapes, responsibility for carrying out a Judge's orders for copying and/or editing and/or delivery of the tapes and responsibility for ensuring the tapes are available for trial of the matter, wherever it is to be held. This is working well. No tapes have been lost, and the Principal Registrar has ensured they are available for trials wherever held.

THE COURTHOUSES

The condition of court buildings and amenities impacts significantly upon the performance of the court as well as the ability of court and registry staff to do their work. Some refurbishment (paintwork, carpeting and lighting) was effected to Judges Chambers and corridors in Brisbane. Many courtrooms are not readily accessible from the cells, creating some delays. Some jury rooms are not conveniently located near their corresponding courtroom, creating a risk that jurors will encounter the presiding judge or associate in the Judge's corridor or the defendant, witnesses or legal advisors in the public area. In regional centres, lack of security remains a concern. A long term considered plan for the ongoing modernisation of court buildings and facilities is required.

Mackay

On 24 March 2004 I attended the opening, by the Honourable the Attorney-General, of the new annexe to the courthouse at Mackay. The extension features four courtrooms, Judges' chambers and jury facilities. The older courthouse, built in 1938, is undergoing refurbishment.

Bowen and Hervey Bay

During the year the State Government announced a \$3 million commitment to an upgrade of the Bowen courthouse. The Bowen courthouse is of major historical significance to the Queensland justice system and the upgrade requires Queensland Heritage Council approval. The plans for the proposed upgrade are being developed in consultation with the Judges.

Work has begun on renovations to the Hervey Bay courthouse, following extensive planning and consultation. The courthouse will then be suitable for jury trials at Hervey Bay, easing the pressure on the Maryborough courthouse.

The Principal Registry

In August 2003 the Civil and Planning and Environment Court registries moved from the District Court side of the Law Courts Complex, to join the main registry in the Supreme Court building. The amalgamated registry is called the Higher Courts Registry of the Supreme and District Courts Brisbane. There is now a dedicated counter service location, Listing Directorate, File location and Records Section, Data Entry location, Deputy Registrar's unit and Bailiffs' accommodation for all civil registry services. The amalgamation has resulted in greater efficiency in the delivery of registry services.

The Child Witness Suites and Equipment

The court has overseen the implementation of the reforms effected by Division 4A of the *Evidence Act 1977*, and has adapted to the new procedure which has been in effect since January 2004. Courthouses in the major centres have been equipped for the taking of pre-recorded evidence of affected child witnesses and for the playing of that evidence at trial.

The evidence of child witnesses is taken and pre-recorded at a number of courthouses throughout the State. In Brisbane the Judges have approved plans now finalised, for a child witness suite in the old District Court building in the Law Courts Complex, after considerable consultation between the Judges and between the Judges and officers of the Department, the Director of Public Prosecutions, Legal Aid Queensland, the legal profession, and Protect All Children Today (PACT). The project will improve the conditions under which affected child witnesses give evidence. The suite will comprise two remote witness rooms, adjoining waiting areas for children and their families, an office for a supervising officer which will be available for interviews, a specially equipped room for the children to be operated by PACT, a separate kitchenette and a toilet, all linked by a secure corridor. The witness rooms will connect by closed circuit television to 6 courtrooms in the old building. This suite will be the best of its kind in Australia.

Remote witness rooms in some centres are dark, small or unsuitably furnished. Faulty equipment has resulted in an affected child's evidence not being recorded or not properly recorded, resulting in the child being recalled to give evidence again and trials being aborted.

Although court staff are scrupulous in their attention to the problems, a master plan of all Queensland courthouses is needed to ensure proper planning for suitable facilities for child witnesses.

THE COURT AND THE PUBLIC

On 29 March 2004, during Youth Week, a film about the legal process entitled "Joel's little mistake – a journey through the legal system", was launched in the Law Courts Complex. It was funded by the Grants Committee of the Queensland Law Society. The purpose of the film is to interest and inform a young audience about our fundamental legal institutions. It is available to be distributed on DVD, VHS and CD-ROM.

On Monday 7 June 2004, in celebration of Queensland Day, the Higher Courts again hosted tours for members of the public, an annual initiative since 2001. 152 people participated in the tours this year.

JUDICIAL APPOINTMENTS

On 11 September 2003 Mr Marshall Irwin, barrister-at-law, was appointed a Judge of the District Court and Chief Magistrate. Because he holds the office of Chief Magistrate, by operation of s.11 of the *Magistrates' Act* 1991, Judge Irwin may not perform any of the duties, or exercise the powers of a District Court Judge.

On 18 December 2003 Mr Michael Rackemann, barrister-at-law, was appointed a Judge of the District Court, with chambers at Southport.

On 13 May 2004 Mr Walter Tutt, solicitor, was appointed a Judge of the District Court and from January 2005 will have chambers at Beenleigh.

Judge Rackemann and Judge Tutt fill the vacancies created by the retirements of Judge Hall and Judge Quirk.

Personal

Judge Alan McCracken died on 12 October 2003. He had served on the District Court from 18 December 1969 until his retirement on 11 August 1989.

On 27 February 2004 a valedictory ceremony was held at Southport to mark the retirement of Judge Robert Hall who had served on the court since 4 February 1983, first in Townsville for 6 years and then at Southport.

On 11 March 2004 the Chief Bailiff Mr Phillip Lennon retired having served with distinction as a bailiff since 1976 and as Chief Bailiff from 7 September 1994.

On 7 May 2004 Judge Thomas Quirk retired after 20 years of distinguished service to the people of Queensland as a Judge of the District Court as well as presiding over the Planning and Environment Court.

The Honourable Sir Dormer Andrews died on 28 June 2004. Sir Dormer was the first Judge appointed to the reconstituted District Court in 1959. His distinguished service to the people of

Queensland included leading the District Court from 1965 as its first Chairman – the office now designated Chief Judge - then from 1971 as a Judge of the Supreme Court, and as Chief Justice from 1985 to 1989.

Movements

Retirements, illnesses and long leave have made it necessary for some other changes. In view of the retirement of Judge Quirk, in January 2004 Judge Wilson SC moved his chambers to Brisbane in order to manage the Planning and Environment Court list, with Senior Judge Skoien taking an overall steering role. Judge Healy QC has presided over the court at Southport since March 2004.

CONCLUSION

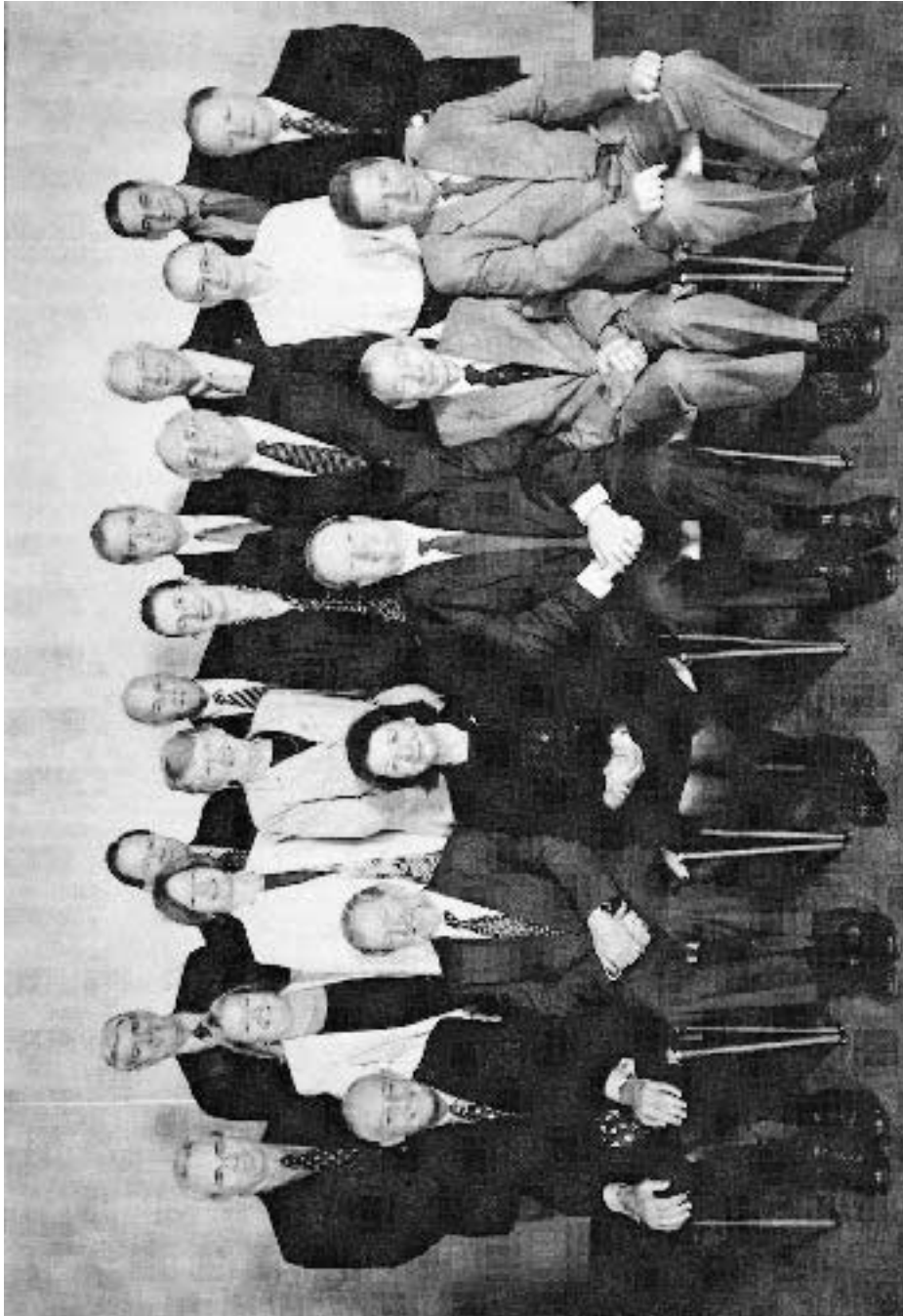
I thank the Judges, officers of the Registry and the court's administrative staff for another year's hard work. Individual efforts ensuring that the Queensland District Court has performed well, are greatly valued as was the preparedness of all to join in what was an effective collegiate effort.



His Honour Judge RD Hall



His Honour Judge TJ Quirk



Judges 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
Judge	His Honour Senior Judge Nelson Anthony Skoien
	His Honour Judge Robert David Hall (Southport) <i>retired 28 February 2004</i>
	His Honour Senior Judge Gilbert Trafford-Walker
	His Honour Judge Thomas Joseph Quirk <i>retired 7 May 2004</i>
	His Honour Judge Warren Howell
	His Honour Judge Ian MacGregor Wylie, QC
	His Honour Judge Keith Stuart Dodds (Maroochydore)
	His Honour Judge Anthony Joseph Healy, QC
	His Honour Judge Manus Boyce, QC
	His Honour Judge Garry Spencer Forno, QC
	His Honour Judge Brian James Boulton
	His Honour Judge Hugh Wilfrid Harry Botting
	His Honour Judge Michael John Noud
	His Honour Judge Kerry John O'Brien
	His Honour Judge Neil Ferguson McLauchlan, QC
	His Honour Judge Philip David Robin, QC
	His Honour Judge Brian Charles Hoath
	His Honour Judge John Elwell Newton (Southport)
	Her Honour Judge Helen O'Sullivan
	His Honour Judge Peter James White (Cairns)
	His Honour Judge Philip Grahame Nase (Beenleigh)
	His Honour Judge John Mervyn Robertson (Maroochydore)
	His Honour Judge Michael William Forde
	His Honour Judge Charles James Lennox Brabazon, QC
	His Honour Judge Douglas John McGill, SC
	His Honour Judge Clive Frederick Wall, RFD, QC (Townsville)
	His Honour Judge Robert Douglas Pack (Townsville)
	His Honour Judge Nicholas Samios
	His Honour Judge Grant Thomas Britton SC (Rockhampton)
	Her Honour Judge Deborah Richards (Ipswich)
	Her Honour Judge Sarah Bradley (Cairns)
	His Honour Judge Michael John Shanahan
	Her Honour Judge Julie Maree Dick SC
	His Honour Judge Alan Muir Wilson SC
	His Honour Judge Marshall Allan Irwin*
	His Honour Judge Michael Edward Rackemann (Southport)
	His Honour Judge Walter Henry Tutt

*Judge Irwin did not perform any of the duties or exercise any powers of a District Court Judge because he holds the office of Chief Magistrate: s.11 of the *Magistrates' Act* 1991.

Administrative Staff of the District Court

The administrative and registry staff of the District Court is essential to its operation in the performance of its functions. Those exercising supervisory roles or who work more closely with the Judge in Brisbane and major centres are set out below:

Court Administrator	David Groth
Principal Registrar (Brisbane)	Ken Toogood
Deputy Court Administrator	Cameron Woods
Sheriff	Neil Hansen
Registrar (Cairns)	John Bingham
Registrar (Townsville)	Michael Reeves
Registrar (Rockhampton)	Gordon Roberts
Information Technology Manager	Ashley Hill
Deputy Registrars	Robyn Wegner
	Peter Irvine
Chief Judge's Executive Assistants	Jan Daniels (part-time)
	Maryanne Nottingham (part-time)
Chief Bailiff	Phil Lennon (until 8 March 2004)
Deputy Chief Bailiff	Ken Welsh (A/Chief Bailiff from 9 March 2004)
Listings Coordinator	Kate Bannerman
Criminal List Manager	Amy Critchley
Assistant Criminal List Manager	Bess Hammond
Childrens Court List Manager	Rachael Penny
Civil and Applications List Manager	Danny Coppolecchia
Planning and Environment List Manager	Alfina Tomarchio
Judge' Secretariat	Annette Cameron
	Nancye Gibson
	Bev Morgan
	Laura Murase

The staff listed above are assisted by other registry, court administration staff and bailiffs.



Staff of the District Court

Regional Judges

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

In Southport: Judge Hall (until 27 February 2004); Judge Healy QC (from 15 March 2004); Judge Newton and Judge Rackemann

In Maroochydore: Judge Dodds and Judge Robertson

In Townsville: Judge Wall QC and Judge Pack

In Cairns: Judge White and Judge Bradley

In Rockhampton: Judge Britton SC

In Beenleigh: Judge Nase

In Ipswich: Judge Richards

Specialist Courts

The Judges who sat in the Planning and Environment Court and Childrens Court during 2003-2004 are listed below:

Planning and Environment Court

Chief Judge Wolfe	Judge Nase
Senior Judge Skoien	Judge Robertson
Judge Quirk	Judge Brabazon QC
Judge Dodds	Judge Wall QC
Judge McLauchlan QC	Judge Pack
Judge Robin QC	Judge Britton SC
Judge Newton	Judge Wilson SC
Judge White	Judge Rackemann

Some District Court Judges are commissioned to sit as Childrens Court Judges. The Judges who sat in the Childrens Court during 2003-2004 are listed below:

Childrens Court

Judge O'Brien (President)	Judge Pack
Senior Judge Trafford-Walker	Judge Samios
Judge Healy QC	Judge Britton SC
Judge White	Judge Richards
Judge Nase	Judge Bradley
Judge Robertson	Judge Shanahan
Judge Wall QC	Judge Dick SC

The Work of the District Court

The work of the District Court is the hearing of appeals and the conduct and trial of matters commenced by indictment (criminal), claim (civil) or originating applications (civil). It also includes interlocutory applications, that is, applications in pending matters, whether commenced by claim, originating application or indictment. The Chief Judge is responsible for the administration of the District Court.

The District Court is the largest trial court in Queensland. It is the principal court in Queensland for the trial of persons charged with serious criminal offences. It deals with almost 90% of all criminal matters in Brisbane which are prosecuted on indictment. The court exercises equitable and other jurisdiction within its civil monetary limit. The court's civil jurisdiction is generally limited to matters involving \$250,000 or less.

Other work of District Court Judges

The District Court hears all appeals from the Magistrates Courts as well as from decisions of a number of tribunals and other statutory bodies. Many of the Judges are also appointed to the Planning and Environment Court and the Childrens Court of Queensland. All Judges are members of the Health Practitioners Tribunal.

The caseloads and rates of disposition of matters in the criminal, civil, applications, appeals and Planning and Environment jurisdictions in respect the centres appear in Appendix 1 – the court's statistics.

Organisation of Work

The work of the District Court Judges is organised in terms of the following categories:

Appellate

This court hears and determines all appeals from the Magistrates Courts as well as from various tribunals and other statutory bodies.

Civil

The court has an extensive general jurisdiction:

- all personal claims and any equitable claim or demand up to the monetary limit of \$250,000;
- 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.

Criminal

In practice the court deals with all indictable matters other than homicides and serious drug offences. The court regularly conducts trials involving:

- more than 24 offences attracting a maximum penalty of life imprisonment;
- offences under the *Corporations Law* and against Federal and State revenue laws. These may

involve many millions of dollars;

- major trials involving public figures such as a former Premier, several former Ministers of the Crown, and a former Police Commissioner.

The Planning and Environment Court

This court is constituted by a District Court Judge appointed to it. It was constituted by the *Local Government (Planning and Environment) Act 1990*, which came into effect in March 1998. The court has unlimited monetary jurisdiction, and exercises jurisdiction over all planning and like appeals in the State. Matters are often complex, involving many millions of dollars. The court's decisions often have significant economic, health or lifestyle impact on large communities throughout the State.

Health Practitioners Tribunal

All District Court Judges are members of this Tribunal which was established by the *Health Practitioners (Professional Standards) Act 1999*. The Health Practitioners Tribunal hears appeals from disciplinary tribunals in respect of most health professional groups, medical practitioners, chiropractors, dentists, dental technicians and prosthetists, occupational therapists, optometrists, pharmacists, physiotherapists, podiatrists, psychologists and speech pathologists.

Building and Other Appeals

The District Court also hears appeals from other professional disciplinary bodies. The relevant professions include teachers, nurses and engineers, as well as appeals under the *Associations Incorporation Act 1981*, the *Children Services Tribunal Act 2000*, and several other Acts. The District Court hears appeals from the Commercial and Consumer Tribunal which was established on 1 July 2003. This tribunal's jurisdiction including hearing or reviews of decisions concerning liquor licences or permits under the *Liquor Act 1992*, disciplinary action against licensees and building disputes under the *Queensland Building Services Authority Act 1991*, disciplinary matters under the *Property Agents and Motor Dealers Act 2000*, disputes under the *Retirement Villages Act 1999*, architects' registration and disciplinary hearings under the *Architects Act 2002* and decisions of the Building Services Authority under the *Building Act 1975*.

Childrens Court

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 children being held on remand.

Criminal Jurisdiction

Increases in Workload

The Taskforce

The Judges of the Criminal Listing Taskforce, the Chief Judge, Judge O'Brien, Judge Hoath, Judge Shanahan and Judge Dick continue to manage the criminal list in Brisbane during the year. In Southport Judge Healy QC undertook management of the Southport criminal list from March this year and in the other regions, the lists were managed by the resident Judge.

In most of the south-east Queensland centres there was a sharp increase in the number of indictments being presented, although Brisbane remained steady with 2,777 indictments presented, down 49 from last year. In Southport there were 618 indictments presented (549 last year) in Maroochydore 527 (477 last year), in Ipswich 628 (572), and Toowoomba, Maryborough and Mackay showed increases. Beenleigh was steady with 571 new indictments, 580 last year.

Many of the cases are reviewed or managed by the Judge before the review date, to ensure that the Office of the Director of Public Prosecutions has provided the defence with all witness' statements and particulars and that the defence has considered whether a s.592A hearing is required. Before the trial review date, the parties in all cases are expected to raise any foreseeable problems as they arise. In Southport and some other 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 prosequis*.

ODPP Review

Developments at the Office of the Director of Public Prosecutions during the year are of obvious import to the District Court. In December 2003 the terms of reference of a review of the operations of the ODPP and its interrelationship with the Department of Justice and Attorney General was announced. The review was conducted with a view to ensuring the Office is best placed to discharge its functions under the *Director of Public Prosecutions Act* 1984 to prepare, institute and conduct all criminal proceedings in the District and Supreme Courts throughout Queensland on behalf of the Crown.

On 24 May 2004 the Premier and the Attorney-General announced a commitment to implement all 35 recommendations of the review.

The Chief Judge was a member of the review advisory committee which reported in April this year, and is a member of the committee formed in July this year to oversee the implementation of the recommendations of the report.

Civil Jurisdiction

The District Court's civil jurisdiction is set out in s.68 of the *District Court Act 1967*.

Some matters were disposed of by Judges dealing with interlocutory applications in actions commenced by claims.

Disposition of civil cases

The civil cases which had been entered for trial but not determined by the end of the year in each of the major centres outside Brisbane is shown in Appendix 1.

Appellate Jurisdiction

The court hears all criminal and civil appeals from Magistrates Courts. It also determines appeals from decisions of various tribunals and other statutory bodies. Many, but not the most complex, are criminal appeals under Section 222 of the *Justices Act* 1886.

The number of appeals in major centres is shown in Appendix 1.

Case management of appeals to the District Court continued with regular reviews of outstanding appeals being conducted by the Registrar throughout the year. Intervention notices are generated by the Registry for the parties to assist them in adhering to predetermined timeframes in accordance with Practice Direction 5 of 2001.

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 which will ultimately be dealt with fully at a trial or hearing.

The number of applications filed at the major centres and some circuit centres this year and in recent years is set out in Appendix 1.

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.

The Regional Centres

The court sits in Brisbane and the regional centres where some Judges are based. The regional centres are located at Cairns, Townsville, Rockhampton, Maroochydore, Southport, Beenleigh and Ipswich. 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.

The Planning and Environment Court

The Planning and Environment Court (PEC) is constituted under the *Integrated Planning Act 1997* and is the successor to Local Government courts established so long ago as 1968. Just under half of the District Court Judges hold commissions in the PEC. In each regional centre with a resident District Court Judge (except Ipswich) there is at least one Judge able to sit in the PEC. The court also holds sittings in centres where District Court circuits are gazetted and, not infrequently, in other (sometimes exotic) locations when it is necessary to accommodate the interests and wishes of litigants and concerned local residents. The court has a tradition of flexibility about the places, and buildings, in which it will conduct hearings.

The most notable change in the work of the PEC this year springs from the retirement of Judge Quirk who has, for many years, acted as the Chief Judge's delegate with responsibility for the day to day management of the court's business. The systems he developed for the management of appeals, involving early intervention and continuing supervision by the court, and allocation of hearing dates through a system of "pools", are original, widely understood and highly successful. Judge Quirk was also, of course, a prodigious worker on cases in the PEC and the court and the jurisdiction in Queensland owe a great debt to him.

In anticipation of Judge Quirk's retirement Judge Wilson SC transferred from Southport to Brisbane and, under the supervision of Senior Judge Skoien, has assumed management of the callover lists and twice-weekly general business days. The court was greatly aided by the appointment of Judge Rackemann, who practised intensively in the jurisdiction for many years.

The PEC Judges take an active interest in developments and changes in Planning and Environment law. They hold an annual conference in the week before Easter, with guest speakers on topical matters. The Chief Judge, Judge Wilson SC and Judge Rackemann spoke at the annual Queensland Environment Law Association conference in Cairns earlier this year, and Judges of the Court chaired and took active roles at conferences, seminars and workshops. The Chief Judge and Judges Quirk, Wall QC, Pack, Wilson SC and Rackemann attended the Annual Conference of Planning and Environment Court Judge and Tribunal Members in Hobart, at which Judge Quirk presented a paper dealing with the court's experience with ecologically sustainable development, with particular reference to Kingfisher Bay Resort which was the subject of a lengthy appeal before the PEC.

Judge Wilson SC has arranged regular meetings with members of the Queensland Bar Association and Queensland Law Society Planning and Environment Sub-Committees, and some changes have been made to the management of the PEC after discussions with those bodies. These meetings will continue.

The PEC has no independent budget or administrative staff and relies for assistance from members of the Higher Courts registry. In the present year its List Manager, Ms Alfina Tomarchio, has been of great assistance and dealt efficiently with pressures created by an increase in the number of cases, compounded by the absence of some Judges on leave.

The PEC faces challenges through an increased case load, and a significant number of self-represented parties. It has sought to meet these increased demands with greater emphasis upon alternative dispute resolution, and is looking to provide further assistance to self-represented parties confronted, inevitably, by legislation and rules of considerable complexity.

The Health Practitioners Tribunal

The Health Practitioners Tribunal was established by the *Health Practitioners (Professional Standards) Act 1999* which came into force on 11 February 2000. The Tribunal is the ultimate disciplinary body for some eleven health professional groups, those being medical practitioners, chiropractors, dentists, dental technicians and prosthetists, occupational therapists, optometrists, pharmacists, physiotherapists, podiatrists, psychologists and speech pathologists. The Tribunal also exercises an appellate jurisdiction under the Act hearing appeals against decisions made by the various professional Boards and other disciplinary panels set up under the legislation.

The Chief Judge is the chairperson of the Tribunal and all Judges are members of the Tribunal. The Chief Judge nominates a Judge of the court as the constituting member for a particular hearing. The hearing is conducted before the constituting member who sits with assessors appointed from gazetted lists, two from a list of members from the relevant profession and one from a public list of persons of good standing in the community.

Although all questions of law and fact must be decided by the Judge, the constituting member may have regard to the views of the assessors on factual issues as the member considers appropriate.

Throughout the year the operation of the Tribunal was coordinated by Judge O'Brien with the assistance from time to time of Judge Forde and Judge Richards.

As with all other work dealt with by the Court, the practice has been to allocate a number of designated weeks during which the Tribunal will sit during the year. After the necessary interlocutory steps have been completed, matters are set down for hearing during those sittings. This system provides greater certainty for the parties, the practitioners and the assessors whose attendance is necessary for particular hearings. It also contributes to the more efficient disposition of the wide range of work that comes before the Court during the year. The Court listings however maintain a degree of flexibility such that, subject to availability of assessors, any urgent matters can be brought on at relatively short notice.

The Tribunal has existed now for a little over four years and remains a relatively new jurisdiction for this Court. There has however been a continued steady increase in the number of matters being referred to the Tribunal during the year. There was also a marked increase in the number of directions hearings conducted during the year and there are again indications that the volume and complexity of work flowing to the Tribunal will increase further in the future. The bulk of the work before the Tribunal continues to come from the Medical Board of Queensland although there has been an increase in the number of referrals from the Psychologists Board.

It remains a matter of ongoing concern that there is a lack of suitable courtroom and chambers within the Law Courts Complex in Brisbane to accommodate sittings of the Tribunal. The Tribunal has been required to sit in rooms at 40 Tank Street.

Once again the Court must acknowledge the invaluable assistance provided by the many assessors who have sat on the Tribunal throughout the year and by those members of the Registry staff who have assisted as Tribunal Registrars.

Childrens Court

The Childrens Court of Queensland is a specialist jurisdiction established under the *Childrens Court Act* 1992. The President of the court is Judge O'Brien and some other 15 Judges of the court also hold commissions under the Act. The work of the court has shown a significant increase over the past twelve months, primarily as a result of amendments to the *Juvenile Justice Act* which have resulted in indictable offences involving children being dealt with, almost exclusively, in the Childrens Court.

On present indications it is likely that this increased volume of work will necessitate the granting of additional Childrens Court commissions to Judges of the District Court.

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.



His Honour Judge KJ O'Brien, President of the Childrens' Court

Circuit Centres

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

A list of the 35 centres (excluding those with a resident Judge) to which the court travelled on circuit during 2003-2004 appears below:

Aurukun	Bamaga	Bowen	Bundaberg
Charleville	Charters Towers	Clermont	Cloncurry
Cooktown	Cunnamulla	Dalby	Doomadgee
Emerald	Gladstone	Goondiwindi	Gympie
Hughenden	Innisfail	Kingaroy	Kowanyama
Lockhart River	Longreach	Mackay	Maryborough
Mornington Island	Mount Isa	Normanton	Palm Island
Pormpuraaw	Roma	Stanthorpe	Toowoomba
Thursday Island	Warwick	Weipa	

Remote Circuits

Circuits to remote Aboriginal and Torres Strait Islander communities continue to form an important part of the court's calendared sittings. The circuits involve sentence matters only, as facilities do not exist in the communities for jury trials. The circuits have an educative and deterrent aspect as the community can see at first hand the penalties imposed for various offences. The circuits also allow the Judge to meet with elders, community representatives and community justice groups.

The organisation of the circuits requires intensive administrative and coordination effort on the part of the Judges and associates.

In the year under report the Judges sat on circuit in the Gulf (Mornington Island, Doomadgee and Normanton); Lockhart River and Cooktown; Thursday Island and Bamaga; the Cape (Weipa, Aurukun, Pormpuraaw and Kowanyama), and for the first time, on Palm Island.

Committees

The membership of the Judges' Committees³ at 30 June 2004 was as follows:

Aboriginal and Torres Strait Islander

Convenor: Judge Shanahan
Members: Judge Nase
 Judge Forde
 Judge Pack
 Judge Bradley

Civil Procedure

Convenor: Judge Robin QC
Members: Judge McGill SC
 Judge Wilson SC
 Judge Rackemann

Conferences and Judicial Education

Convenor: Judge Dick SC
Members: Judge Dodds
 Judge Rackemann

Criminal Law

Convenor: Judge Robertson
Members: Judge Shanahan
 Judge Dick SC

Court Planning

Convenor: Judge Wilson SC
Members: Senior Judge Skoien
 Judge Dodds
 Judge Richards
 Judge Dick SC

Regional Judges

Convenor: Judge Richards
Members: Judge Bradley
 Judge Robertson

Salaries and Entitlements

Convenor: Judge Botting
Members: Judge Robin QC
 Judge Wilson SC
 Judge Rackemann

³ The Chief Judge is an ex officio member of each Committee

ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE

The Aboriginal and Torres Strait Islander Committee's goals are:

- to deal with matters relating to Aboriginal and Torres Strait Islanders referred to the Committee;
- to liaise with representatives of the Aboriginal and Torres Strait Islander communities about matters affecting the court and members of those communities, other than decisions of individual Judges;
- to recommend appropriate speakers on these topics at Judges' conferences;
- to develop and improve the relationship and understanding between the court and the Aboriginal and Torres Strait Islander communities; and
- to keep other Judges and the community informed of such improvements and developments.

The Committee continued to hold various meetings with officers of the Department of Aboriginal and Torres Strait Islander Policy (DATSIP) to discuss training issues for Community Justice Groups. As a result of concerns raised with a number of Judges by members of Community Justice Groups as to the need for training and the resources made available to the Groups to meet their numerous functions, the Chief Judge wrote to the Attorney-General in February 2004 expressing the concern of the Judges that appropriate training and resources be offered to Community Justice Groups. This particularly related to training in relation to the Groups' statutory role in the sentencing process. That letter was forwarded by the Attorney-General to the Minister for Aboriginal and Torres Strait Islander Policy. In May 2004 the Chief Judge wrote to that Minister requesting advice as to any progress in relation to the training or resourcing of the Community Justice Groups. The Minister advised that DATSIP was conducting regional training forums across Queensland for the groups. Further training was proposed over the next 12 to 18 months.

Despite the Judges of the Committee making numerous offers to DATSIP to participate in this training, the Judges were not invited to participate or, if invited, were invited with insufficient time to reorganise calendars. The end result was that no Judge participated in any training sessions provided in the financial year. This is regrettable.

On a more positive note, the Judges have noted the goodwill of the members of the various Community Justice Groups and their desire to participate in the court processes as envisaged by statute. This was particularly so in relation to remote circuits.

During the 2003/2004 financial year remote circuits were performed to the Gulf (Mornington Island, Doomadgee and Normanton) on three occasions, to the Cape (Weipa, Aurukun, Pormpuraaw and Kowanyama) on two occasions, to Thursday Island, Bamaga, Cooktown and to Palm Island.

In relation to Palm Island, at the request of the Chief Justice, consideration was given to attending circuits on Palm Island to conduct sentence proceedings. Judge Pack conducted a meeting of interested parties on 28 November 2003. As a result, four one day circuits to Palm Island were listed for the 2004 calendar year. The first of those occurred in the week of 27 April 2004 and was conducted by Judge Pack. A number of matters were dealt with and the beginnings of a relationship between the Court and the island's Community Justice Group were established.

On 10 May 2004 the Chief Judge and Judges Dodds and Shanahan met with various members of the Cherbourg community to discuss whether trials involving Cherbourg and Murgon people could be conducted in Murgon rather than Kingaroy, so that members of those communities might be

eligible for jury service. As a result, the Chief Judge wrote to the Attorney-General requesting that consideration be given to this issue. Such consideration is continuing.

In addition, the meeting discussed whether the court, as part of its Kingaroy circuit, could sit at the Murgon courthouse to hear sentence matters involving Murgon and Cherbourg residents. The court agreed to conduct such sittings and Judge Dodds will conduct the first of those in September 2004. Consideration is also being given by the Attorney-General to appropriately equipping the room presently used by the Community Court at Cherbourg, so that the District Court might sit in Cherbourg itself to hear sentence matters.

In September 2003 the Committee circulated to all Judges a protocol for Judges dealing with Aboriginal and Torres Strait Islander Communities in relation to remote circuits. The protocol was developed by Judge Bradley.

Judge Shanahan assisted in the development of a training session in relation to Aboriginal and Torres Strait Islander cultural issues for Queensland magistrates at their annual conference. He attended at that session on 9 March 2004.

In May 2004 the Committee liaised with DATSIP concerning the problems encountered in various communities with home brew kits since the introduction of Alcohol Management Plans.

Judge Shanahan continues as a member of the National AIJA Indigenous Cultural Awareness Committee.

Once again, as raised in previous years, there are still two specific issues of concern that have not been addressed.

1. There is a need for appropriately trained interpreters in Aboriginal and Torres Strait Islander languages in court proceedings, particularly in remote communities.
2. No funding has yet been provided for the apportionment of a court based Indigenous Liaison Officer.

CIVIL PROCEDURE COMMITTEE

The members at the time of writing are Judges Robin QC (convenor), McGill SC, Wilson SC and Rackemann. The committee's principal function continues to be to provide the Chief Judge with a readily accessible source of views and suggestions from Judges experienced and interested in the civil aspects of the court's jurisdiction which may be of assistance in formulating responses on behalf of the court (when sought or when appropriate) to proposed changes in legislation at State or Commonwealth level, and the like. A particular function concerns the formulation of District Court practice directions which will facilitate the most efficient and economical disposition of the court's civil work in changing conditions.

The committee functions in an informal way, typically using e-mail communication, rather than holding formal meetings. Members continue to provide presentations to assist the Judge and the wider legal profession in keeping abreast of developments in relevant law, procedure and practice, and to represent to court on other committees, including the Chief Justice's Rules Committee.

CONFERENCES AND JUDICIAL EDUCATION COMMITTEE

This committee of the Judges oversees the activities of the Judges and the court in broadening and advancing the knowledge and understanding of the Judges. The court has a budget for this purpose, administered by the Chief Judge with the assistance of the committee.

In April 2004 the court held its annual conference. Speakers included Dr Geraldine Mackenzie who spoke on sentencing, Ms Attracta Lagan on changes in the corporate world, Mr Geoff Wilson on property law disputes and Dr Jill Reddan on post-traumatic stress disorder. The conference speakers were of a very high quality, the papers were informative and covered a broad range of topics from sentencing to partner property disputes.

In addition and in conjunction with the annual conference the Childrens Court and the Planning and Environment Court conferences were held.

Judges of this court also attended the Annual General Meeting of the Judicial Conference of Australia, the Australian Institute of Judicial Administration Conference on Jury Charges.

Other conferences attended include the Heads of Youth Court Conference in April 2004, the Queensland Environmental Law Association Conference in Cairns in May 2004.

Registry Services and Administrative Support

The offices of the Principal Registrar, Court Administrator and Sheriff provide administrative support to the Supreme and District Courts of Queensland.

PRINCIPAL REGISTRY

The Principal Registry of the District Court of Queensland is located in the Law Courts Complex, George Street, Brisbane. The Principal Registry comprises the Civil, Criminal and Appellate Registries, the Listing Directorate and the Sheriff's Office, Brisbane. The registry also comprises the Planning and Environment Court registry and the Health Practitioners Tribunal registry. In August 2003 the civil registry of the District Court amalgamated with the civil registry of the Supreme Court to what is now known as the Higher Courts Registry of the Supreme and District Courts Brisbane.

Outcomes of the amalgamation:

- A dedicated counter service location for all civil registry services was established.
- A dedicated Listing Directorate comprising all jurisdictions was established.
- A dedicated Data Entry location for all civil registry functions was established.
- A dedicated File location and Records Section for all civil registry services was established.
- A dedicated location for accommodation of all Bailiffs and associated services was established.
- A dedicated Deputy Registrar's unit was established.

The amalgamation has provided a basis for the delivery of more effective and efficient registry services. The Principal Registry continues to provide projects to improve registry services, staff training to ensure staff are able to provide high levels of service to the profession and unrepresented litigants, the provision of information services through brochures and website and a file retention programme for court records.

The Office of the Principal Registrar is also located in the Brisbane complex. The Principal Registrar is responsible to the Chief Judge and Judges of the Court for aspects relating to court administration focusing on the efficient managing of registry services relating to the District Court and support facilities for the judiciary.

There are 31 other District Court registries in Queensland, some in large regional cities whilst others are in remote areas of the state. In each district there is a registrar who, with support staff, provides administrative assistance to the District Court of Queensland. The staff at those centres are mainly members of the Magistrates Courts service.

At all centres outside of Brisbane the registry is also the registry office for the Planning and Environment Court of Queensland and all registrars hold dual appointments.

Client Relations

The merge of the registry services in August 2003 has provided a single service point for clients attending the Supreme Court, District Court and Planning and Environment Court Civil Registries.

The Higher Courts registry (as it is now known) is located on the Ground Floor of the Supreme Court building.

Three Client Relations Officers (CRO) service the counter along with a full time Cashier and are supervised and assisted by a Senior Client Relations Officer. During busy periods up to five or six CRO's serve on the counter along with an extra cashier. As a result an extra computer and service area has been installed to help promote quicker service.

In addition, two computer terminals are now available for public use to enable clients to conduct searches and printouts of court records at no cost.

Part of the CRO's role is to assess documents for filing, checking to ensure that they comply with the rules and practices of the court, assess fees, provide information brochures and non-legal advice in a high quality professional manner. Most CRO's are qualified Justices of the Peace.

The Higher Courts Registry attracts a diverse range of clients - solicitors, litigants in person and members of the public are some of the clients attending the registry on a daily basis. Once again as evidenced in years gone by there is an increasing number of self represented persons who are conducting their own actions, anything from civil claims to appeals under the *Justices Act*.

Some minor upgrades of the Higher Courts Counter area have taken place such as new searching tables have been installed along with bigger 17 inch computer screens which allow increased viewing ability by clients whilst being served. The upgrade of the counter referred to in previous reports is due to commence in the first quarter of the next financial year. This will provide an ergonomically designed area which will benefit both staff and clients alike.

Judgment by Default

Ending proceedings at an early stage by applying to the Registrar for a default judgment is provided for by virtue of Uniform Civil Procedure Rules 283, 284, 285 and 286.

Decision on Papers

A party may file an application to have an order made by a Judge without the need for an oral hearing. When a decision is given, the registrar forwards to each party involved a copy of the order and reasons for decision. Instances of the legal profession taking advantage of this court initiative regretfully have declined.

Consent Orders

The court strongly encourages the use of Rule 666 of the Uniform Civil Procedures Rules to obtain a consent order from the Registrar where parties agree upon the terms of an order prior to the scheduled hearing date.

The complexity of consent orders issued by the Registrar has increased. For example, consent orders for leave to commence personal injury proceedings and for property adjustments relating to de facto relationships are more frequently being sought from the Registrar.

There has been an increase of 28% in requests for consent orders from last year.

Waiver of Filing Fees - Brisbane

Since September 2002 a process has existed where an impecunious person can apply to a registrar for filing fee waiver and exemption.

A total of 25 applications were made to the registrar with 3 being refused. The total value of fees waived was \$9040.00

Funds in Court

Since 1974 litigants have been permitted to pay or deposit monies into court under the *Court Funds Act 1973*.

Previous reports show the level of access to this process as well as amounts held in the court fund in the Principal Registry. The current number of accounts is 42 with a monetary value of \$1,092,223.99 as at 30 June 2004.

On 1 June 2004 the registrar obtained an order to transfer the sum of \$3,804.60 to the Consolidated Revenue fund. This transfer was made up 2 accounts that have not been dealt with during the previous six years other than under continuous investment or payment of interest.

A project to introduce a fully electronic system of recording and accounting was set in April 2004 for the Principal Registry. The anticipated benefit from successful implementation of the new system should be saving in administrative resources and quicker access to information on monies held by the court.

Costs Assessment

When the court orders one party to pay another party's costs, unless the costs are agreed between the parties, an assessment of costs takes place before an assessing registrar. The party entitled to the costs must file an itemised bill of its costs and serve the party liable for the costs. Initially, the assessment of costs involves a directions hearing before the registrar to ensure all procedural matters have been complied with. Appendix 1 indicates the results of the directions hearings for 2004.

At the directions hearing, if there is nothing to delay the matter, a date will be given for assessment. Appendix 1 represents the results of assessment for the year.

A party that is dissatisfied with the result of an assessment may seek the registrar's reasons for his/her determinations at the assessment. An application for re-consideration must be filed within 14 days of the conclusion of the assessment. An assessing registrar will endeavour to provide a response to an application for re-consideration within 3 months of the receipt of the application. However, the pressure of work may not allow the registrar to meet this self-imposed deadline, as Appendix 1 shows.

Health Practitioners Tribunal

Between July 2003 and June 2004 there was a total of 15 matters, including 11 referrals, filed for hearing before the Tribunal. Of these 6 have been heard and determined, 8 have been allocated hearing dates in the future and 1 has yet to be allocated a hearing date.

The break-up of new matters filed is in Appendix 1.

Listings Directorate

The Listings Directorate was amalgamated and moved to the Higher Courts registry in August 2003.

There is a dedicated office which now houses all List Managers from both the Supreme and District Courts. The area is located next to the Higher Courts Registry, Ground Floor, Supreme Court and is managed by Kate Bannerman, the Listings Coordinator – kate.bannerman@justice.qld.gov.au

The officers of the Listings Directorate are responsible for the administrative management of the Criminal, Civil, Planning and Environment Court, Childrens Court and Applications Lists. In addition, the office handles receipt and distribution of all Criminal Depositions and Civil Trial Files.

The officers are:

- District Court Criminal List Manager – dc-CrimListManager@justice.qld.gov.au (Amy Critchley)
- District Court Civil and Applications List Manager – dc-civillistmanager@justice.qld.gov.au (Danny Coppolecchia)
- Planning and Environment Court List Manager – dc-PEListManager@justice.qld.gov.au (Alfina Tomarchio)
- Childrens Court List Manager – dc-ChildrensCourtListManager@justice.qld.gov.au (Bess Hammond)
- District Court Assistant Criminal List Manager – dc-AsstListManager@justice.qld.gov.au

Criminal Registry

The ability to efficiently process fines and compensation orders made in the District Court has been enhanced through the introduction of QWIC financials. All money received and disbursed through the Criminal Registry is now recorded on QWIC. One of the benefits is that offenders are able to make payment at any Court House in the state. Additionally, this provides an interface with State Penalty Enforcement Registry and allows all referrals to that registry to be performed on line.

OFFICE OF THE COURT ADMINISTRATOR

The Court Administrator, David Groth, was responsible for managing the resources provided by the Department of Justice and Attorney-General and the administrative operations and functions of the Higher Courts. The Court Administrator is also responsible, in consultation with the Chief Judge, for developing policies and strategies for improving service delivery to the Court and its users. The Court Administrator is assisted by a Deputy Court Administrator, Cameron Woods, and a small team of administrative staff, who undertake a variety of duties designed to ensure the smooth, efficient and effective operation of the Supreme and District Courts and to achieve particular projects suggested by the Judiciary. Administrative support for the Supreme and District Courts has been significantly enhanced through the creation of the position of Special Project Officer (Policy and Planning). The review of employment conditions of permanent and casual bailiffs continued over the last 12 months.

The Principal Registrar and the Court Administrator visited a number of a number of District Court registries outside Brisbane, concentrating, initially, on those centres where there is a resident Judge. These visits provided a valuable opportunity to enhance the exchange of information with regional registries.

Communication with staff has been enhanced through the publication of a staff newsletter – *Courterly* - for all staff of the Supreme and District Courts across the State. *Courterly* is an opportunity to highlight the staff of the court and to keep staff informed about developments.

The completion of the *Queensland Higher Courts Support Strategic Plan 2004–2008*, a first for the Higher Courts, is an important landmark in the development of the Higher Courts service. The plan seeks to set the broad directions for the staff of the Higher Courts (the Supreme and District Courts) in supporting the judiciary - in delivering equal justice to all according to law. This plan is about working in a more coordinated way to ensure that available resources are targeted on the important issues in improving client services.

The *Queensland Higher Courts Support Business Plan 2004-2005*, designed to ensure that all Higher Courts staff are clear about the priorities of the court and how these relate to the Strategic Plan, is close to finalisation. The *Business Plan* will be a first for the Higher Courts.

Funding provided by the department

During the year, the department provided:

- Maintenance funding of \$779,587 - with an estimated additional \$800,000 proposed for 2004/2005;
- Work-place health and safety related funding of \$555,056 with an estimated \$92,000 currently proposed for 2004/2005;
- Funding of \$450,000 was received from Treasury for the refurbishment (carpet, paint and lighting) of secure corridors and chambers for three floors in the older District Court building the Law Courts Complex;
- Security funding of \$17,764 - with an estimated \$550,000 proposed for 2004/2005;
- Court technology funding for the provision of sound re-enforcement and CCTV upgrades (to a number of Higher Court centres across Queensland) at a cost of \$955,633 – with an estimated \$150,000 proposed for 2004/2005; and
- Information technology funding for:

- the re-development of the existing civil case management system – totalling \$280,000, the majority of which will be expended in 2004/05, following the finalisation of an appropriate tender process;
- the re-development of the existing criminal case management system – through modification of the Queensland Wide Interlinked Courts (QWIC) System operating in the Magistrates Court;
- infrastructure including the MAN (Metropolitan Area Network) and WAN (Wide Area Network) link, Internet gateways and Standard Operating Environment management (virus protection and security patches); and
- general minor works funding of \$368,388 – with an estimated \$657,915 proposed for 2004/2005.



*Back Row: Ashley Hill, Information Technology Manager, Cameron Woods, Deputy Court Administrator, Ken Toogood, Principal Registrar, Ian McEwan, Director, State Reporting Bureau
Front Row: Aladin Rahemtula, Court Librarian, Her Honour Chief Judge PM Wolfe, David Groth, Court Administrator*

SHERIFF'S OFFICE

Jury Management

The Sheriff's office in Brisbane issued 177,983 Notices to Prospective Jurors for the court sittings of the 31 District and 11 Supreme Courts throughout the State.

In Brisbane, 6,444 jurors received summonses to appear for jury service, of which 4,971 jurors attended at least once. Of those attending, 2,432 jurors were empanelled at least once in the 253 trials where juries were empanelled (211 District and 42 Supreme Court). Of those trials, 69 extended outside of normal court hours, and 38 juries were required to be accommodated overnight. Six juries were accommodated more than 1 night.

Enforcement

The Sheriff is responsible for the enforcement of court orders by way of certain types of warrants. During the year 67 enforcement warrants were received by the sheriff for enforcement. 35 warrants were for Possession of Land, 29 for Seizure and Sale of Property, 2 Arrest Warrants and 1 for Delivery of Goods. Of these, 12 Possession of Land enforcement warrants and 1 Arrest warrant were successfully enforced.

Bailiff's Office

During the year bailiffs and casual bailiffs were assigned to the following courts:

- 1554 days of criminal court sittings;
- 274 days of civil court sittings;
- 277 days of applications court;
- 194 days of Planning and Environment Court sittings;
- 20 days of Health Practitioners Tribunal sitting;
- 100 days of administrative duties for the registry.

Phil Lennon, our Chief Bailiff, of the last 10 years announced his retirement from 8 March 2004. Phil was first appointed as a Bailiff of the Supreme and District Courts, Brisbane in June 1976. He served as Deputy Chief Bailiff for 4 years. Phil has always conducted himself in a gentlemanly yet professional fashion. He has always been held in high esteem and he will be sadly missed around the Law Courts.

INFORMATION TECHNOLOGY

During the 2003–2004 financial year, the Information Technology section of the Higher Courts completed a number of activities that began in the previous year, consolidated the gains made and positioned itself to further exploit technology in the 2004–2005 year.

Information Technology Team restructure

A review of the structure of the Higher Courts IT Team recommended an increase in the number of staff and the alignment of staff capabilities with contemporary organisations. These recommendations were supported by the Director-General of the Department of Justice and Attorney-General, and the Higher Courts are currently implementing the recommendations of the report. In addition to an organisational restructure, the IT Team relocated within the Law Courts Complex to facilitate registry restructures and refurbishment.

Standard Operating Environment

The deployment of a Standard Operating Environment (SOE), which began during 2002–2003, was completed this year. The new environment is based on a managed Windows XP environment and includes the replacement of the old and unreliable equipment used by the Judiciary. The deployment of the SOE has resulted in increased stability and functionality.

Equipment replacements

A large amount of equipment was replaced during this period. Printers and PCs in regional offices were replaced, as well as a number of printers and PCs in Brisbane. The problematic Local Area Network in the Law Courts Complex was replaced, and the courts replaced their unreliable Wide Area Network link with a connection to the Departmental Metropolitan Area Network.

eCourts

Specific objectives of the eCourts initiative have been the introduction of eSearching, eListing, eChambers and eCourtrooms.

The popularity and use of the existing eCourts services increased during 2003–2004. The eSearching facility (www.ecourts.courts.qld.gov.au/eSearching/eSearching.htm) proved to be extremely popular with (on average) over 900 on-line searches conducted at no fee every business day. This capability and the frequency with which it is used represent a real boom to the courts' clients and demonstrate the courts' commitment to enhanced service delivery.

After the replacement of the civil case management system – a priority for the Higher Courts – additional eCourts services can be investigated including enhanced eSearching and eListing functionality as well as the ability to lodge documents electronically, rather than visit a Higher Courts registry.

Civil Information Management System (CIMS)

The Higher Courts plan to replace CIMS, parts of which are 10 years old, with a modern, web-based application that can be deployed to all Higher Court registries, as well as deliver enhanced services to the courts' clients via the internet. The enhanced civil system has been called CIMS Web. A part-time project team has been formed to define their requirements in relation to the management of civil matters. The project team reached the stage, by the end of the 2003–2004 year, where the Higher Courts are poised to formally approach the market to determine if suitable solutions exist. The pursuit of this initiative will be the main focus for the Courts IT Team during 2004–2005.

As it will be 12–18 months until CIMS Web is in place, the courts decided to proceed with the roll-out of the current version of CIMS to Southport and Maroochydore during 2003–2004. The deployment of CIMS improves the management of the courts' civil workload in these locations and meets the increasing demands by legal practitioners for electronic service delivery.

Criminal Management System

The Higher Courts have been working with the Department of Justice and Attorney-General to enhance the Queensland-Wide Interlinked Courts (QWIC) system used by the Magistrates Courts to manage their criminal workload, so that it is capable of also managing Higher Courts matters. If QWIC can meet the Higher Courts' needs, it is planned to adopt the system in March of 2005.

Related Organizations

THE COURT LIBRARY

In 2003, the Honourable Justice White concluded a five year term as Chair of the Library Committee. This was a dynamic period during which the Library embraced online technologies to deliver information services more quickly and effectively and established a series of historical preservation and education programs. This year an equally vital phase of review and consolidation was initiated under the guidance of the new Library Committee Chair, the Honourable Justice Mackenzie.

Information Services

Library online information gateways, such as the Courts website and Judicial Virtual Library, are the key access points for Library users seeking timely and accurate information. Over 1 million information requests were serviced via these gateways this year and important achievements include the digitisation and publication of 1,900 full-text Court of Appeal criminal decisions dating from 1992. In total, 9,800 judgments are now publicly available on the Courts website, including over 700 District Court decisions, together with selected District Court sentencing remarks. The Library also maintains online judgments and sentencing databases, which facilitate improved access to this information.

Provision of services via web-based technologies improves accessibility and responsiveness for all users, but particularly those outside of Brisbane. District Court Judge, regardless of their location around Queensland, access a diversity of legal and non-legal information via the Library's secure Judicial Virtual Library. In addition, a project to provide remote information kiosks in regional courthouse libraries is well underway. Following the installation of the first kiosk in Townville last year, a customised gateway was launched to provide streamlined and intuitive access to 82 subscription titles, free online resources, and the newly enhanced Library catalogue which now enables users to accurately determine the holdings of their local collections. The provision of remote information kiosks will continue throughout the remaining nine regional centres.

Major development of information services, with particular reference to online gateways, will be a key priority for the next five years. The overarching objective is to develop a cohesive, competitive and flexible information delivery strategy which meets the needs of the Queensland judiciary, the legal profession and the wider community. An extensive review of the Courts website is already underway, and proposed developments focus on expanding content, creating customised portals for discrete user groups such as litigants in person, and meeting web accessibility standards for disabled users.

Plans to improve information services to the judiciary, via the Judicial Virtual Library, include the provision of a customised current awareness service. A recent survey of District Court Judge revealed overwhelming support for the service and a demand for future customisation of the material being delivered. The option to deliver material in electronic format via the Judicial Virtual Library offers the potential to customise, as well as enhance the currency of the service.

As part of the e-service initiative, an upgrade of the Library's existing training and demonstration facilities is also planned. These facilities will be utilised for members of the judiciary and court staff, members of the legal profession and general public, and visiting school groups. Following a request from a member of the public, additional funding has also been sought to provide a special needs research room for hearing and vision impaired users.

Collection Development

In addition to the research quality collection in Brisbane, the Library maintains working collections in 10 regional centres throughout Queensland, seven of which have resident District Court Judge.

That our legal collection has grown into one of the finest in the country, particularly in relation to other court libraries, is due largely to the enthusiasm, dedication and expert advice provided by His Honour Judge Healy QC and His Honour Judge Robin QC, who each continued to serve on the Collection Sub-Committee in 2003. After 22 years of invaluable support and guidance, Judge Healy QC ended his term on the Committee in 2004 and was replaced by His Honour Judge Wilson SC, whose learned contribution to the deliberations of the committee and development of our Library collections will be equally valued.

Several initiatives were undertaken this year to enhance core collection resources, particularly in regional centres. In fact, 38% of the total books and subscriptions budget was committed to regional development, including a substantial upgrade of superseded legal texts. Funds have also been allocated to expand the Pacific legal collection in Brisbane. In addition, the Library assumed a curatorial role with respect to the special heritage collections of the Courts. Over 6,000 photographs were deposited by the Courts, Queensland Bar Association and Department of Justice and Attorney-General. These have been catalogued and are being digitised to ensure long term preservation, with a view towards making a selection available online.

Rare Books Precinct and Community Outreach

With the assistance of a generous grant from the Incorporated Council of Law Reporting ambitious plans are underway to construct a visually striking suspended platform of environmentally controlled cabinets, in the public gallery on level 2 of the Courts. These cabinets will house and display the remainder of the nationally significant rare books collection which is currently in storage. This year an estimated 26,000 visitors to the Court toured the gallery, known as the Rare Books Precinct, including honoured guests such as Her Royal Highness Princess Bajarakitiyabha of Thailand.

The Precinct showcases a series of permanent exhibits and was the venue for six exhibitions curated by the Library including *In Search of Steele Rudd, An Exhibition of Fine Bookbinding, The History of Shorthand* and memorial displays for the Hon Sir Edward Stratton Williams KCMG KBE and the Hon Douglas Malcolm Campbell. The exhibition *In Search of Steele Rudd* was officially opened with a lecture by Associate Professor Richard Fotheringham in August 2003, whilst Mr Anthony Morris QC and Mr Conrad Lohe (Solicitor-General) also consented to speak as part of the SCHP evening lecture series this year.

In addition, the Library was specially commissioned by the Caxton Legal Centre to research and mount an exhibition exploring the history of public order law in Queensland. The display roused substantial interest amongst the wider community, as will the forthcoming scholarly exposition on the theme 'Women and the Law in Queensland Revisited'. This was the subject of the inaugural exhibition in 2000, which was opened by Ms Quentin Bryce AO, now Her Excellency Ms Quentin Bryce AC, Governor of Queensland. In 2005, 100 years since legislation was passed enabling women to be admitted as legal practitioners, it is fitting that the topic be revisited.

These activities constitute an important community service, ensuring access to the Library's growing legal heritage collection and fostering greater understanding and appreciation of the Courts. In addition, the interest generated by these programs has yielded grants and donations valued at over \$350,000 over the preceding five years.

Schools Program

A total of 6,650 students participated in the Schools Program this year, and the opportunity to talk with Judge of the District Court is a particularly popular aspect of the program. The Library, as the centre for educational initiatives within the Court, will be focusing on the further development of the program including the enrichment of the Schools Program website which was launched this year with online booking facilities.

Churchill Fellowship Study Tour and History Program

In late 2003 the Supreme Court Librarian, Aladin Rahemtula, undertook a study fellowship to investigate historical societies and legal museums in Canada, United States and United Kingdom. The fellowship, awarded by the Winston Churchill Memorial Trust of Australia, culminated in a series of 21 recommendations to develop and improve the history program, schools program, exhibition series and Courts website. Important co-operative relationships were established with a number of international organisations and, as a result, one of the leading law libraries in America has agreed to participate in a staff exchange initiative.

Active publishing programs were a feature of several organisations visited. This year, the sale of the Library's book *Queensland Judge on the High Court* highlighted opportunities to preserve and disseminate material relating to Queensland's legal heritage through such self-funding activities. The next publication will focus on the achievements of prominent women lawyers, and will coincide with the 'Women and the Law' exhibition.

Strategic Plan 2004-2009

As previously reported the Library has undertaken an organisational review and is now developing a five year strategic plan documenting all aspects of operation and identifying key objectives for the future. Plans relating to the history and schools program are complete, and the areas of information services, collection management and technology solutions will be addressed in the coming months. The continuation of pioneering work in online information delivery will be an integral part of the Library's future strategic direction, building on and refining innovative services such as the Courts/Library website, Judicial Virtual Library, the web catalogue and QLI Online. Opportunities to digitise collections will also be exploited, thereby enhancing access and ensuring the preservation of historically significant material.

Underlying all of these initiatives is the Library's commitment to maintaining relevant and accessible collections, exploring flexible methods of service delivery, and embracing new roles of benefit to the legal and wider communities.

STATE REPORTING BUREAU

The State Reporting Bureau provides a recording and/or transcription service for the Supreme, District and Magistrates Courts, Director of Public Prosecutions (Police Record of Interview), Industrial Court and Industrial Relations Commission. The Bureau also provides reporting services for the Medical Assessment Tribunal, Mental Health Court and land Appeal Court.

Services are provided in Brisbane and throughout 35 regional and circuit centres in Queensland. In respect of the District Court, reporting services are provided in Brisbane, Cairns, Townsville, Rockhampton, Innisfail, Hughenden, Charters Towers, Bowen, Mackay, Gladstone, Bundaberg, Maryborough, Maroochydore, Gympie, Kingaroy, Emerald, Clermont, Mount Isa, Cloncurry, Longreach, Dalby, Roma, Toowoomba, Goondiwindi, Stanthorpe, Warwick, Ipswich, Southport, Charleville and Cunnamulla.

Transcripts of proceedings are produced by audio recording or computer-assisted transcription (CAT).

There are four mobile Remote Recording and Transcription Systems (RRA TS) across regional Queensland to help maintain reporting services at remote circuit centres. RRA TS enable the Bureau to audio record court proceedings at centres where no staff are based and transfer the recording via Integrated Service Digital Network (ISDN) for transcription at Bureau operational centres throughout the State. Audio reporting staff then produce a transcript using computer based word processing packages before transferring an electronic copy of the transcript via electronic modem connection to the judiciary, counsel and other interested parties within two hours of the adjournment of the court each day.

An enhancement of the on-site RRA TS in Bundaberg allows RRA TS to transfer video images from the court to the Maroochydore transcription centre. This is Smart State technology at work.

Portable RRA T systems have been used for the recording of court proceedings at the circuit centres of Mount Isa, Cloncurry, Bundaberg, Gladstone, Dalby, Charleville, Cunnamulla, Beenleigh, Kingaroy, Roma and Innisfail.

During 2003-04, Caboolture was brought on-line as a transcription centre increasing the number of RRA TS transcription centres to seven. The other transcription centres are located in Cairns, Townsville, Mackay, Maroochydore, Southport and Ipswich.

The Bureau also offers real-time (CAT) reporting which provides immediate access to transcripts in electronic form. The recorded proceedings are simultaneously translated into text on computer screens in the courtroom, with the facility for the judge and counsel to make annotations in the unedited electronic transcript.

The proposed introduction of digital recording will further enhance the already high quality of reporting services provided to the Court.

The Bureau's provision of an accurate and timely transcript of proceedings is critical to the Court's capacity to carry out work efficiently and the administration of justice. Any reduction in the service provided by the Bureau will reduce the Court's capacity to do so.

Appendix 1: Court Statistics – Comprehensive Table of Statistics

CRIMINAL JURISDICTION

	2001-2002	2002-2003	2003-2004
ANNUAL CASE LOAD			
Brisbane*			
At start of year	844	766	836
Presented during year	2,983	2,826	2,777
Disposed of during year	3,027	2,713	2,768
Undisposed	795	836	855
Townsville*			
At start of year	209	211	145
Presented during year	485	596	410
Disposed of during year	582	589	404
Undisposed	108	145	153
Cairns*			
At start of year	285	106	88
Presented during year	847	630	420
Disposed of during year	867	548	394
Undisposed	261	88	119
Rockhampton*			
At start of year	114	80	175
Presented during year	176	277	276
Disposed of during year	217	175	304
Undisposed	78	175	144
Southport*			
At start of year	195	199	147
Presented during year	639	573	672
Disposed of during year	614	549	618
Undisposed	199	202	183
Maroochydore			
At start of year	46	50	18
Presented during year	387	477	527
Disposed of during year	363	502	501
Undisposed	50	18	33
Ipswich*			
At start of year	99	52	91
Presented during year	503	572	628
Disposed of during year	549	531	493
Undisposed	52	40	155
Beenleigh			
At start of year	209	228	216
Presented during year	613	580	571
Disposed of during year	561	574	607
Undisposed	228	216	183

* The difference between the "Undisposed of at end of year" figure for 2001-2002 and the "At start of year" figure for 2002-2003 results from the Courts adopting a new and more rigorous methodology.

	2001-2002	2002-2003	2003-2004
Toowoomba			
At start of year	13	3	14
Presented during year	155	179	203
Disposed of during year	170	162	187
Undisposed	3	14	33
Maryborough			
At start of year	108	100	64
Presented during year	329	294	304
Disposed of during year	326	339	324
Undisposed	100	64	16
Mackay			
At start of year	20	31	26
Presented during year	162	168	209
Disposed of during year	149	173	176
Undisposed	31	26	59
Bundaberg			
At start of year	38	5	5
Presented during year	148	134	95
Disposed of during year	174	136	90
Undisposed	5	5	12
CRIMINAL TOTAL WORKLOAD			
Number of indictments registered			3,287
Number of cases (defendants)			2,830
Cases disposed			2,768
Cases outstanding as at 30 June			855
Summary matters registered			212
Summary matters remitted back when not dealt with in District Court			114
Number of fines imposed			119
Total amount of fines imposed			\$112,375
Number of compensation orders made			266
Total amount of compensation ordered to be paid			\$850,660
Number of outstanding fine and compensation orders referred to State Penalties Enforcement Registry			202
Total amount of fines and compensation referred to State Penalties Enforcement Registry			\$516,610
Number of warrants issued when offenders failed to appear in court			566

AGE OF CRIMINAL CASES DISPOSED OF IN 2003-2004	<3	3-6	Total <6	6-9	9-12	>12	Total
	months	months	months	months	months	months	
	%	%	%	%	%	%	%
Brisbane	46.1	25.8	71.9	12.1	5.2	10.9	100
Townsville	48.0	18.8	66.8	13.6	6.7	12.9	100
Cairns	58.6	19.0	77.7	10.2	3.8	8.4	100
Rockhampton	41.4	13.5	54.9	6.9	6.6	31.6	100
Southport	44.0	23.4	67.4	12.8	8.1	11.7	100
Ipswich	77.9	13.0	90.9	5.9	1.4	1.8	100
Maroochydore	70.6	14.2	84.8	7.7	1.6	5.9	100
Beenleigh	51.2	24.9	76.1	11.2	5.4	7.6	100
Toowoomba	85.0	6.4	91.4	2.1	1.1	5.3	100
Mackay	56.8	34.1	90.9	5.1	1.7	2.3	100
Maryborough	92.3	5.9	98.1	0.9	0.6	0.3	100
Bundaberg	86.0	8.0	94.0	1.0	1.0	4.0	100

CIVIL JURISDICTION

	2001-2002	2002-2003	2003-2004
DOCUMENT FILINGS RECORDED BY CIMS	45,515	42,478	39,632

ORIGINATING PROCEEDINGS

Claims	4,322	2,729	2,444
Originating applications	627	790	1,474
Total	4,949	3,519	3,918

CIVIL CASES ENTERED FOR TRIAL

ANNUAL CASE LOAD

Brisbane

At start of year	101	114	72
Entered for trial during year	375	352	267
Disposed of during year	362	394	268
Undisposed	114	72	71

Townsville

At start of year	4	3	8
Entered for trial during year	17	22	17
Disposed of during year	18	17	19
Undisposed at end of year	3	8	6

Cairns

At start of year	8	6	8
Entered for trial during year	15	24	19
Disposed of during year	17	22	22
Undisposed at end of year	6	8	5

Rockhampton

At start of year	6	3	2
Entered for trial during year	9	5	11
Disposed of during year	12	6	8
Undisposed at end of year	3	3	5

Southport

At start of year	42	23	23
Entered for trial during year	80	69	55
Disposed of during year	99	69	58
Undisposed at end of year	23	23	20

Ipswich

At start of year	2	4	2
Entered for trial during year	4	3	3
Disposed of during year	2	5	3
Undisposed at end of year	4	2	2

Maroochydore

At start of year	29	25	22
Entered for trial during year	83	59	47
Disposed of during year	87	62	55
Undisposed at end of year	25	22	14

	2001-2002	2002-2003	2003-2004
Toowoomba			
At start of year	8	7	4
Entered for trial during year	13	8	8
Disposed of during year	14	11	7
Undisposed at end of year	7	4	5
Beenleigh			
At start of year	4	6	4
Entered for trial during year	11	10	8
Disposed of during year	10	14	9
Undisposed at end of year	5	2	3
Maryborough			
At start of year	14	2	12
Entered for trial during year	27	18	17
Disposed of during year	39	8	19
Undisposed at end of year	2	12	10
Mackay			
At start of year	7	4	6
Entered for trial during year	24	15	9
Disposed of during year	27	13	6
Undisposed at end of year	4	6	9
Bundaberg			
At start of year	1	2	1
Entered for trial during year	10	5	5
Disposed of during year	9	6	5
Undisposed at end of year	2	1	1

**PROPORTION OF CASES DISPOSED OF WITHIN
12 MONTHS OF ENTRY FOR TRIAL**

Brisbane	100.0%	100.0%	100.0%
Townsville	100.0%	100.0%	100.0%
Cairns	100.0%	100.0%	100.0%
Rockhampton	100.0%	100.0%	87.5%
Southport	98.0%	94.2%	100.0%
Ipswich	100.0%	80.0%	100.0%
Maroochydore	97.7%	98.4%	92.6%
Toowoomba	92.9%	81.8%	100.0%
Beenleigh	98.3%	98.4%	92.6%
Mackay	100.0%	100.0%	100.0%
Maryborough	64.1%	100.0%	100.0%
Bundaberg	55.5%	100.0%	60.0%

PERCENTAGE DISPOSITION OF CASES WITHIN 12 MONTHS OF ENTRY FOR TRIAL - 2003-2004	<3	3-6	6-9	9-12	>12	Total
	months	months	months	months	months	
	%	%	%	%	%	%
Brisbane	25.4	63.1	10.8	0.7	0.0	100
Townsville	42.1	21.1	10.5	0.0	26.3	100
Cairns	22.7	54.5	22.7	0.0	0.0	100
Rockhampton	25.0	25.0	37.5	0.0	12.5	100
Southport	22.8	54.4	21.0	1.8	0.0	100
Ipswich	0.0	33.3	66.7	0.0	0.0	100
Maroochydore	20.4	40.7	25.9	5.6	7.4	100
Beenleigh	41.1	50.5	6.3	0.5	1.7	100
Toowoomba	28.6	42.8	14.3	14.3	0.0	100
Mackay	33.3	33.3	33.3	0.0	0.0	100
Maryborough	61.5	7.7	23.1	7.7	0.0	100
Bundaberg	0.0	60.0	0.0	0.0	40.0	100

APPEALS

	2001-2002	2002-2003	2003-2004
APPEALS HEARD			
Brisbane	127+	105	97
Cairns	47	31	22
Townsville	11	17	8
Rockhampton	9	1	4
Maroochydore	21	17	24
Southport	43	43	24
Beenleigh	8	7	5
Ipswich	20	14	15
Maryborough (includes Hervey Bay)	10	8	8
Toowoomba	6	5	12
Mackay	6	3	2
Bundaberg	0	9	0
Other	NA	NA	NA
Total	308++	260++	221

+adjusted figures

++corrected total

APPLICATIONS

	2001-2002	2002-2003	2003-2004
ANNUAL CASE LOAD			
Brisbane	1,488	1,421	1,997
Cairns	377	317	314
Townsville	204	209	253
Rockhampton	137	149	115
Maroochydore	277	179	319
Southport	412	492	303
Ipswich	45	55	78
Maryborough (includes Hervey Bay)	92	79	60
Toowoomba	46	27	63
Mackay	68	46	47
Bundaberg	52	28	43
Gladstone	22	15	11
Gympie	6	10	13
Mt Isa	8	11	15
Dalby	4	6	0
Other	20	N/A	N/A
Total	3,258	3,044+	3,631

DECISIONS ON THE PAPERS

Applications filed	69	66	47
Orders made on paper	41	50	39
Oral hearings required	1	4	2

JUDGMENT BY DEFAULT – ENTERED BY REGISTRAR

Applications	591	530	492
Judgment entered	321	317	354

CONSENTS UNDER RULE 666 DEALT WITH BY THE REGISTRAR

Number of applications considered	324	463	595
Orders made	273	422	494
Refused	51	41	101

+corrected total

PLANNING AND ENVIRONMENT JURISDICTION

	2001-2002	2002-2003	2003-2004
ANNUAL CASE LOAD – ALL CENTRES (includes Brisbane, Townsville, Cairns, Rockhampton, Southport, Maroochydore)			
At start of year	92	182	271
New cases – Total	438	490	601
Disposed – Total	348	401	589
Undisposed	182	271	283
Brisbane			
At start of year	21	73	189
New Cases – Directions	212	312	338
New Cases – Consent Orders	112	100	149
New Cases – Total	324	412	487
Disposed – Judgments	59	58	58
Disposed – Withdrawals	89	105	143
Disposed – Consent Orders	124	133	271
Disposed – Total	272	296	456
Undisposed	73	189	220
Townsville			
At start of year	20	23	22
New Cases – Directions	5	4	14
New Cases – Consent Orders	10	2	0
New Cases – Total	14	6	14
Disposed – Judgments	2	3	3
Disposed – Withdrawals	4	1	1
Disposed – Consent Orders	6	3	2
Disposed – Total	12	7	6
Undisposed	23	22	30
Cairns			
At start of year	19	18	5
New Cases – Directions	26	2	11
New Cases – Consent Orders	0	0	8
New Cases – Total	26	2	19
Disposed – Judgments	10	4	3
Disposed – Withdrawals	8	9	12
Disposed – Consent Orders	9	2	2
Disposed – Total	27	15	17
Undisposed	18	5	7
Rockhampton			
At start of year	3	2	7
New Cases – Directions	9	6	2
New Cases – Consent Orders	0	1	0
New Cases – Total	9	7	2
Disposed – Judgments	5	1	4
Disposed – Withdrawals	3	1	3
Disposed – Consent Orders	2	0	1
Disposed – Total	10	2	8
Undisposed	2	7	1

	2001-2002	2002-2003	2003-2004
Southport			
At start of year	19	30	24
New Cases – Directions	17	34	37
New Cases – Consent Orders	6	5	0
New Cases – Total	23	39	37
Disposed – Judgments	5	15	7
Disposed – Withdrawals	2	15	8
Disposed – Consent Orders	5	15	43
Disposed – Total	12	45	58
Undisposed	30	24	3

Maroochydore			
At start of year	10	36	24
New Cases – Directions	42	24	39
New Cases – Consent Orders	0	0	3
New Cases – Total	42	24	42
Disposed – Judgments	10	26	22
Disposed – Withdrawals	1	9	10
Disposed – Consent Orders	5	1	12
Disposed – Total	15	36	44
Undisposed	36	24	22

PERCENTAGE DISPOSITION OF CASES WITHIN 12 MONTHS OF ENTRY FOR TRIAL - MAJOR CENTRES 2003-2004	<3	3-6	6-9	9-12	>12	Total
	months	months	months	months	months	
Brisbane	21.2	23.1	13.0	8.6	34.1	100
Townsville	66.7	33.3	0.0	0.0	0.0	100
Cairns	11.1	22.2	22.2	14.8	29.7	100
Rockhampton	22.2	22.2	11.1	0.0	44.5	100
Southport	36.2	10.4	17.2	29.3	6.9	100
Maroochydore	36.4	27.3	18.2	13.6	4.5	100

COST ASSESSMENT - REGISTRAR

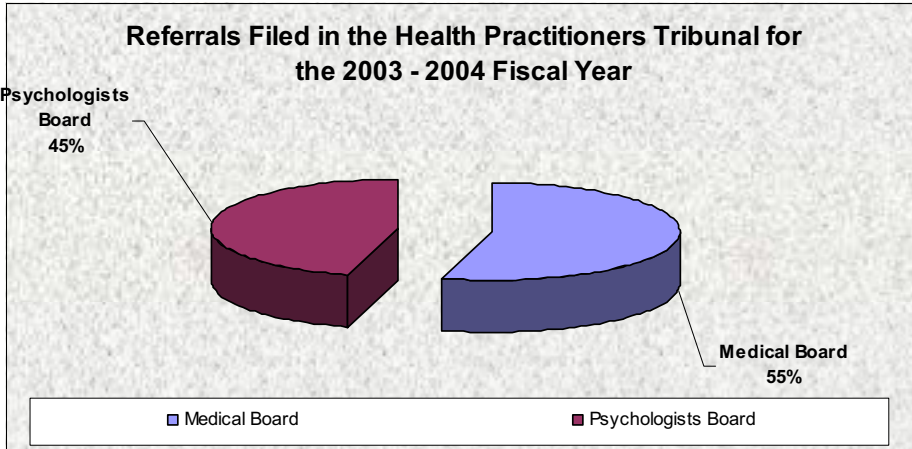
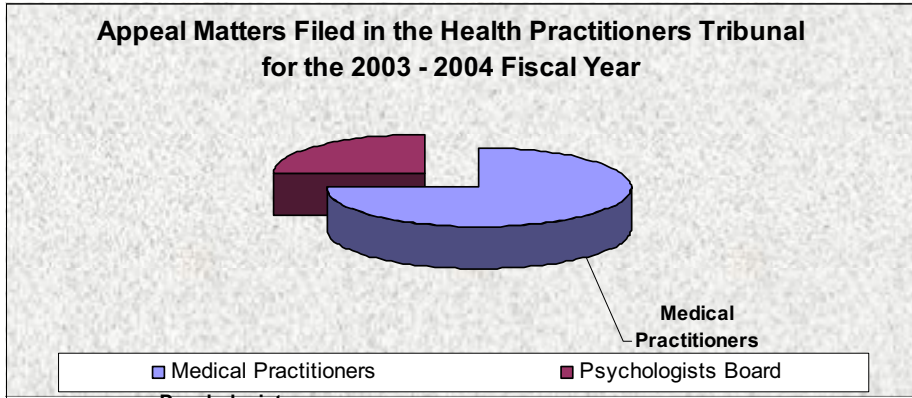
	2001-2002	2002-2003	2003-2004
APPLICATIONS FOR RE-CONSIDERATION			
Reserved as at 1 July	1	1	0
Number of applications	4	3	3
Disposed of <3 months	2	3	0
Disposed of >3 months	2	1	3
Otherwise disposed of (e.g., settled or withdrawn)	0	0	0
Outstanding as at 30 June	1	0	0

ASSESSMENT DIRECTIONS HEARINGS			
Settled	51	44	33
Adjourned	30	37	46
Default Allowance	27	43	40
Assessment date given	91	94	94
Total	199	218	213

RESULT OF CASES SET DOWN FOR ASSESSMENT			
Adjourned	5	11	7
Settled	42	57	54
Assessed	36	28	23
Total	83	96	84

HEALTH PRACTITIONERS TRIBUNAL

	Appeals	Referrals
CASE LOAD/NEW CASES		
Medical Practitioners/Medical Board	3	6
Psychologists	1	5



Appendix 2: Practice Directions

The following Practice directions were issued by the Chief Judge during the year and are available on the Court's website www.courts.qld.gov.au

Number	Description	Date Issued
2004/01	Principal Registrar's Designation	19/12/03
2004/02	Evidence Act – Division 4A Evidence of Affected Children	01/03/04
2004/03	Recording Devices in Court rooms	09/03/04
2004/04	Consent Orders: District Court: Amendment of Practice Direction No 4 of 2001	17/05/04

Appendix 3: District Court Associates – as at 30 June 2004

Holly Blattman, Associate to Her Honour Chief Judge PM Wolfe
Dane Jones, Associate to His Honour Senior Judge NA Skoien
Lily Brisick, Associate to His Honour Senior Judge G Trafford-Walker
Christopher Leary, Associate to His Honour Judge RD Hall (Southport)
Michael Williamson, Associate to His Honour Judge TJ Quirk
Ed Green, Associate to His Honour Judge W Howell
Neville Hiscox, Associate to His Honour Judge IMcG Wylie QC
Mark Pollock, Associate to His Honour Judge KS Dodds (Maroochydore)
Jeannie Donovan, Associate to His Honour Judge AJ Healy QC
Benjamin Fox, Associate to His Honour Judge M Boyce QC
Jacqueline Rosengren, Associate to His Honour Judge GS Forno QC
Kate Juhasz, Associate to His Honour Judge BJ Boulton
Laura Reece, Associate to His Honour Judge HWH Botting
Matthew Tutt, Associate to His Honour Judge MJ Noud
Rebecca Graham, Associate to His Honour Judge KJ O'Brien
Peter Fenton, Associate to His Honour Judge NF McLauchlan QC
Emma Rahemtula, Associate to His Honour Judge PD Robin QC
Liam Dollar, Associate to His Honour Judge BC Hoath
Michelle Hanger, Associate to His Honour Judge JE Newton (Southport)
Nadine Morley, Associate to Her Honour Judge H O'Sullivan
Brendan Manttan, Associate to His Honour Judge PJ White (Cairns)
Nathan Turner, Associate to His Honour Judge PG Nase (Beenleigh)
Rebecca Rimmer, Associate to His Honour Judge JM Robertson (Maroochydore)
Alexander Griffin, Associate to His Honour Judge MW Forde
Alexander White, Associate to His Honour Judge CJL Brabazon QC
Scott Malcolmson, Associate to His Honour Judge DJ McGill SC
Edith Frankling, Associate to His Honour Judge CF Wall QC (Townsville)
Michael O'Dea, Associate to His Honour Judge RD Pack (Townsville)
Mark Schneider, Associate to His Honour Judge N Samios
Jessica King, Associate to His Honour Judge GT Britton SC (Rockhampton)
Kate McMahon, Associate to Her Honour Judge D Richards (Ipswich)
Michelle Emeleus, Associate to Her Honour Judge S Bradley (Cairns)
Michael Knapp, Associate to His Honour Judge MJ Shanahan
Amanda Jordan, Associate to Her Honour Judge JM Dick SC
Christopher Leary, Associate to His Honour Judge AM Wilson SC
Justin O'May, Associate to His Honour Judge ME Rackemann (Southport)
Thomas Hiew, Associate to His Honour Judge WH Tutt

