

DISTRICT COURT OF QUEENSLAND

ANNUAL REPORT

2005-2006

The District Court of Queensland
Law Courts Complex
304 George Street
BRISBANE QLD 4000

PO Box 15167
CITY EAST QLD 4002

Registry: Telephone: (07) 324 79261
 Fax: (07) 324 75387

30 October 2006

The Honourable Rod Welford MP
Attorney-General and Minister for Justice
and Women
Level 18
State Law Building
50 Ann Street
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 2006.

Yours sincerely

Chief Judge PM Wolfe

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The Chief Judge's Overview



Chief Judge Patricia Wolfe

PERFORMANCE

Disposition of Caseload

The court's performance over the year under report may be analysed in the context of the disposition of the court's caseload. The tables in Appendix 1 of this report provide that analysis. The court performed most satisfactorily in terms of the amount of work completed. However, the decrease in available judicial resources, and the demand of the increasing workload in Brisbane and other centres – a demand met by sustaining the number of circuits to most places – has had an effect on the timeliness of disposition of the court's criminal workload.

The District Court employs rigorous modes of case management and its adjuncts, the Planning and Environment Court, the Childrens Court of Queensland and the Health Practitioners Tribunal, also use effective forms of judicial case management.

Disposition of Criminal Caseload

Judges of the Criminal Listing Taskforce have primary responsibility for management of the criminal caseload in Brisbane. They relied on the highly efficient and ongoing support of the Principal Registrar and Administrator and the District Court Criminal List Manager. The regional Judges undertake the management of their lists and the Judges also share management of lists in some of the larger circuit centres. There has been a somewhat concerning and continuing increase in the number of matters that were not disposed of within 12 months of the presentation of the indictment.

The ongoing reduction in available judicial resources and an apparent increase in Brisbane in the number of matters stayed as a result of hearings pending in the Mental Health Court and in the number of matters ready for sentence but awaiting committal on other charges, again explains, together with the retirement of experienced judges, the significant increase in matters older than 12 months.

The QWIC system which records the statistics for the court's criminal workload, replaced the Criminal Register System (CRS) during the previous reporting year. QWIC does not record those periods, frequently lengthy, when criminal matters, awaiting determination by the Mental Health Court, are stayed, or those awaiting psychiatrists' assessments and reports, in order that defendants' legal advisors may determine whether the matter should be referred to the Mental Health Court. Consequently QWIC includes in the time from presentation of the indictment to final disposition of a matter, those considerable periods involving mental capacity issues, a period during which the court cannot advance the matter towards disposition, nor indeed dispose of it.

In Brisbane, 23.6% of active matters remained undisposed of more than 12 months after presentation of the indictment, (14.2% in 2004-2005 year, and which may also be compared with previous years - 10.9% in 2003-2004, 7.7% in 2002-2003, 8.7% in 2001-2002, and 9% in 2000-2001). Many of the trials in Brisbane were complex or lengthy. However, 43.2% matters were disposed of in Brisbane within 3 months of the presentation of the indictment (up from 41.3% in 2004-2005).

Further, the court disposed of more matters in most centres than it did last year. In Brisbane the court disposed of 2971 matters during the year (2586 in 2004-2005). The number of active undisposed matters as at 30 June 2006 increased only by 13 to 887, whereas there was a considerable increase in new matters, up by 396 from last year, to 2988.

Active case management in Brisbane resulted in an increase in the number of guilty pleas, so that of the 2156 matters determined by plea or trial, 2041 or 95% were sentenced after entering a guilty plea.

This year the Court also disposed of 662 criminal matters in Southport (up from 609 in 2004-2005), 584 in Ipswich (565 in 2004-2005), 521 in Cairns (477 in 2004-2005), 451 in Rockhampton (up from 293 in 2004-2005), 420 in Maroochydore (423 in 2004-2005), 486 in Beenleigh (532 in 2004-2005), and 366 in Townsville (432 in 2004-2005). Many others were disposed of in the circuit centres, including 194 in Maryborough (251 in 2004-2005), 137 in Bundaberg (116 in 2004-2005), 177 in Mackay (201 in 2004-2005) and 255 in Toowoomba (209 in 2004-2005). These figures are exclusive of the matters dealt with by the Judges in the Childrens Court of Queensland.

Affected child witness pre-recordings

The relevant provisions of Division 4A of the *Evidence Act* 1977 came into force on 5 January 2004, with considerable ramifications for the court, changing the way criminal trials involving child witnesses are prepared, managed and conducted. Children's evidence is pre-recorded on videotape in a preliminary hearing from a remote witness room, pursuant to the stipulations of the Act, and later played during the jury trial as part of the prosecution case.

The adjudication and administration of matters involving pre-recorded evidence under this legislation has proved that the procedures involved are complex and time consuming. Numerous reviews are needed to ensure that the parties are ready on the day appointed for the pre-recording of the child's evidence, and also to ensure that the tape of the pre-recorded evidence is in a proper state for trial with a jury.

In the year under review, the Judges ordered the pre-recording of the evidence of 463 affected child witnesses throughout Queensland, 35 of them for Childrens Court trials. Of those ordered during the year, the evidence of 296 children was given and recorded from a remote witness room, and 34 tapes required editing. In many instances the pre-recording did not go ahead, usually because the accused person pleaded guilty to the relevant charge prior to the date fixed for the pre-recording.

Disposition of Civil and Applications Caseload

In 2005-2006 in Brisbane, there were 3521 new matters filed and the total number of matters recorded by CIMS remained steady at 38,321. There were 2157 claims filed, down from 2400 last year, and 1364 originating applications, down from 1473 last year.

In Brisbane, Rockhampton and Mackay, all civil cases were disposed of within 12 months of entry for trial, and in Southport, 96.9% within that 12 months. In Brisbane, 40.6% were disposed of within 3 months, up from 29.9% in 2004-2005. Further 100% of Brisbane matters were disposed of within 9 months, with 93.7% in 6 months. Other major centres were as efficient, such as Cairns (83.4% within 6 months) and Maroochydore (92% within 6 months).

Intensive case management by the Judges led to the earlier resolution of matters either by refining the issues for determination at trial or by alternative dispute resolution. On occasions a judge will manage numerous claims, connected by reason of having the same defendants or types of defendant. For example, during the year under review, the parties in 57 separate claims for damages for personal injuries emanating from the Childers' backpackers hostel fire, requested trial dates. Trials for each claim would have sorely taxed the court's resources, so between 7 October 2005 and 16 March 2006 I held seven directions hearings for the plaintiffs and for the eight defendants and third parties most of them common to each proceeding, prior to those matters going to complex mediation. All 57 claims were resolved by 5 April 2006.

At the start of the year under review, there were 100 matters entered for trial in Brisbane, up 29 from last year. During the year another 256 matters were entered for trial, and a total of 289 matters were disposed of, a considerable increase over 221 last year. The number of matters undisposed of at the end of the year decreased to 67 (100 in 2004-2005). Outside Brisbane the Court disposed of 61 civil matters in Southport, 26 in Maroochydore, 20 in Townsville and 18 in Cairns.

The District Court annual applications load steadied with 1531 matters in the reporting period compared with 1786 the previous year. Cairns, Southport, Rockhampton, Ipswich, Mackay and Gladstone bore a substantial rise in their applications load.

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

Disposition of Appeals Caseload

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 a number of tribunals and bodies.

In 2005-2006 the District Court heard a total of 360 appeals at major centres throughout the State, including 162 appeals in Brisbane (up from 112 last year); 47 in Cairns (58 in 2004-2005); 33 in Ipswich (41 in 2004-2005); 24 in Maroochydore (22 in 2004-2005); 19 in Townsville (7 in 2004-2005); 17 in Mackay (3 in 2004-2005); 16 in Toowoomba (8 in 2004-2005) and 13 in Southport (34 in 2004-2005).

Disposition of Planning and Environment Court Caseload

The Planning and Environment Court is structured as a de facto division of the District Court of Queensland under the administration of the Chief Judge. It operates effectively and efficiently. The organization of its business is the responsibility of the District Court. Its judges are judges of the District Court, its registrar is the Principal Registrar of the District Court and the Supreme Court.

A new format has been adopted for the reporting of the statistics on Planning and Environment jurisdiction in Brisbane. In previous years, in matters which a directions hearing was held before a judge, or had been listed for a consent order were counted as a "new case". Under this format, first used on a trial basis in Brisbane for 2005-2006, every new matter commenced by the filing of an initiating document such as a notice of appeal is counted as a "new case". The figures for the other centres however, were produced under the same format as in previous years. The figures for 2005-06 for Brisbane are not able to be compared to previous years' figures.

The Judges of the Planning and Environment Court carry a significant workload. Brisbane again bore the brunt of the increase with 492 new matters in 2005-2006, with 585 matters having been disposed of in the year under review (compared with 435 in 2004-2005 and 456 in 2003-2004).

Maroochydore, Townsville and Cairns all experienced a fall in the total number of new cases and the number disposed of in the previous reporting year. In Maroochydore, there were 53 new cases and 47 total disposals, compared with 63 new cases and 52 disposals in 2004-2005. In Townsville there were 19 new cases and 16 disposals (17 and 23 respectively in 2004-2005), in Cairns 29 new cases and 20 disposals (down from 36 and 32 in 2004-2005) and in Southport 42 new cases and 32 disposals (33 new cases and 25 disposals in 2004-2005).

Circuits

The Court is committed to allocating sufficient District Court sittings in circuit centres to ensure that matters can be heard and decided in a timely fashion in regional, rural and remote parts of Queensland. Despite the reducing available judicial resources – there being fewer available judge weeks in the 2006 calendar year than there were in the 2005, 2003 or 2002 calendar years - the number of circuits were slightly increased for the 2006 year to properly service regional, rural and remote Queensland. In the 2006 calendar year the Judges were allocated a total of 386 weeks on circuit (384 in 2005, 383 in 2004), also to be compared with the 2002 calendar year when there was a total of 370 weeks circuit and 361 in 2000.

Indigenous and Remote Circuits

The Judges of the District Court of Queensland have been sitting on circuits in the remote Aboriginal and Islander communities for some years now. The Judges based in Cairns and a number from Brisbane have sat in the Gulf (Mornington Island, Doomadgee and Normanton), the Cape (Weipa/Napranum, Aurukun, Pormpuraaw, Lockhart River and Kowanyama), at Thursday Island, Bamaga and Yarrabah.

Two central matters that continue to be of concern to the judges are the lack of appropriately trained interpreters in Aboriginal and Torres Strait Islander languages in court proceedings and a court based Indigenous Liaison Officer.

The Judges now sit at Murgon to hear sentences, however the community courthouse at Cherbourg is inadequate for sittings of the District Court, even for sentencing. Cherbourg was proclaimed to be part of the Kingaroy jury district on 28 April 2005, and the first sittings for which those electors were made available to the jury system was for the Kingaroy sittings commencing 29 August 2005.

Registry management

A major improvement to Registry operations has resulted in this year's implementation of a professional and comprehensive induction and training programme for new employees. The training program is part of the continuing process, the "Continual Process Improvement Program" which has been undertaken to ensure Registry operations are up-to-date and carried out with maximum efficiency.

Sentencing database

A comprehensive legal research database system confined to sentencing, known as the Queensland Sentencing Information Service (QSIS), was developed for the courts during the year under report. It contains legislation, judgments, summaries of appeal decisions and statistics on sentencing. This sentencing database uses software created by the Judicial Commission of New South Wales, and became available, not only to the Judges, but to the Office of the Director of Public Prosecutions and Legal Aid Queensland soon after the end of this reporting period. The database provides an important tool for increasing consistency and predictability in sentencing, one of the most significant areas of the court's work.

Rules Committee

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

COUNSELLING SERVICE

The Department of Justice and Attorney-General provides the Employee Assistance Programme, a voluntary counselling and advisory service, on a strictly confidential basis, for court staff as well as its other employees. The service is delivered by highly qualified and experienced psychologists. Employees may seek professional assistance and guidance for the resolution or management of work or personal problems which may affect performance, productivity, job satisfaction and well-being.

The service which became available this year to the Judges of the Supreme and District Courts and their families, is known as the "Judiciary Counselling Service" and it is thought important that such a facility be offered in the event a problem might arise.

CHIEF JUDGE'S CALENDAR

Apart from the time allotted to administrative responsibilities, I sat in the various jurisdictions of the court, both in and out of Brisbane: the criminal court (13 weeks), civil and applications (8 weeks), and in the Planning and Environment Court as well as in Toowoomba, Cairns, Townsville, Maroochydore, Rockhampton and Southport. I gratefully acknowledge the fine contribution to the administration of the court made by Senior Judge Skoien while Acting Chief Judge during my absence on leave.

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 the department, the Principal Registrar and 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). I also attended meetings of the Council of Chief Judges and many other groups, projects and meetings involved in the organisation of the District Court and the Higher Courts Registry, such as the Higher Courts IT Steering Committee.

CONTINUING JUDICIAL DEVELOPMENT

The Judges contributed to numerous meetings and conferences during the year, and from which they also benefited professionally through their participation. All newly-appointed Judges participate in the National Judicial Orientation programme conducted annually under the auspices of the National Judicial College with the Australian Institute of Judicial Administration and the Judicial Commission of New South Wales. Judge Griffin SC, Judge Ryrie and Judge Dearden attended these courses during the year under review and Judge Nase and Judge Wilson SC attended the National Judicial College of Australia's Judgment Writing Workshop. Judges of the Court attended the Judges Annual Conference in Marcoola over the period 17-19 August 2005, where there was a presentation on a range of subjects from presenters including the Integrity Commissioner for Queensland, Mr GW Crooke QC and the Australian Institute of Judicial Administration executive director, Professor Greg Reinhardt, on judicial ethics; Mr Damien Price on social justice, Mr Ian Hanger QC on "McKenzie's friend" and litigants in person, as well as other speakers on propensity evidence, and various developments in the practice and procedure of criminal and civil trials.

Many of the judges, by speaking or presenting papers, contributed to many important professional meetings and conferences. In March 2006, Senior Judge Trafford-Walker, Judge McLauchlan QC, Judge Hoath, Judge Forde, Judge Wall QC, Judge Pack and Judge Ryrie visited courts in China to speak to the Judges of those courts during the 2006 Sino-Australia Law Forum. Personal contacts were made on which it is hoped to build in the future. During the forum, Judge Forde presented a paper "Indigenous Community Justice Groups in Queensland" to the Judges in Taiyuan.

Last year Judge Wilson SC and Judge Rackemann attended the Judicial Mediation conference in Montreal, and both also spoke on expert evidence at the National Environmental Law Association in Canberra. In August 2005 Judge Robertson spoke on sentencing at a public lecture organised by the Queensland University of Technology Law School and Judge Rackemann spoke to the Planning Institute of Queensland on development assessment. In October 2005 Judge Forde spoke at the Great Aboriginal Debates on "The Nature of Circuits to the Gulf and the role of the Community Justice Groups". Earlier this year Judge Rackemann spoke to the Bar Association of Queensland on the new Planning and Environment Court practice direction, and delivered a paper on judging under the *Integrated Planning Act 1997* to the 2006 Queensland Environmental Law Association conference. On 3 March 2006, Judge Bradley presented a paper "Applying Restorative Justice Principles in the Sentencing of Indigenous Offenders and Children" at the National Judicial College of Australia's Sentencing Principles, Perspectives and Possibilities Conference held in Canberra. On 26 May Judge McGill SC spoke on psychiatric injury at the Insurance Law Intensive organised by the Australian Insurance Law Association with the Queensland Law Society.

THE COURTHOUSES

Brisbane

On 6 June 2006, provision was made in the State budget for \$6.3m for the planning and design of a new Brisbane Supreme and District Courts complex. The government is to be commended for taking this essential step towards the building of an historic new courthouse in Brisbane. It is hoped that the building will represent the best in 21st century courthouse design, emphasising its place in the government of the State, its importance and accessibility for the people of Queensland and that it be appropriately placed in the streetscape of Brisbane.

Over a number of years I have emphasised the inadequacy of the present facilities and I am committed to regular direct involvement in this project. The Director-General and the Deputy Director-General have provided invaluable assistance in actively progressing this issue. A committee of Judges from both courts (Justices Wilson and PD McMurdo and Judges Wilson SC and Griffin SC) has carried out substantial consultative work on the project in the year under review.

Ipswich

Detailed planning has been undertaken on the establishment of a new courthouse for the District and Magistrates Courts at Ipswich. Over a number of years the Judges have emphasised the inadequacy of the facilities at Ipswich and the need for major structural improvements for a courthouse that is safe, and provides a comfortable and efficient working environment.

Wi-Fi

In May 2006, the profession obtained access to the internet, from all courtrooms in the Law Courts Complex, the library and restaurant in Brisbane and some regional courthouses, through the courts' Wi-Fi (wireless fidelity) service. Consequently practitioners appearing in the courtrooms are in real-time contact with colleagues elsewhere, without any disruption to the proceedings.

Child and Vulnerable Witness Suite

On 23 November 2005, Her Excellency The Governor, Ms Quentin Bryce AC, opened the Law Courts Complex facility for the taking of pre-recorded evidence of affected child and other vulnerable witnesses. The suite is an initiative of the Judges of the District Court providing an appropriately furnished and decorated suite of rooms in Brisbane for the giving of evidence remotely from the trial courtroom by children and other potentially vulnerable witnesses.

The suite is secure from the rest of the courthouse and is connected by cable to most of the major trial courtrooms. This facility serves the Supreme Court too.

THE COURT AND THE PUBLIC

In celebration of Queensland Day, the Supreme and District Courts again hosted tours for members of the public, with many participating in the tour of the Law Courts Complex in Brisbane. Special Law Week displays were erected in the main regional courthouses across the State and incorporated a new corporate video and fact sheets.

WEBPAGE (www.courts.qld.gov.au)

The courts' webpage, hosted by the Supreme Court Library, registered 1,111,211 hits this year.

INTERNATIONAL ASPECTS

The District Court at Brisbane received a number of international visitors:

- On 24 October 2005 Judges from Shanxi Peoples' High Court, China;
- On 11 April 2006 Judges from District (Intermediate) Courts of Hubei Province, China;
- On 19 April 2006, Judges from Tianjin City High Court, Dongguan City, China.

This tenth report on the operation of the District Court of Queensland was prepared in consultation with the judges, in particular with the convenors of the judges' committees and the judges with particular responsibility for the court's specialist courts and tribunals: Senior Judge Skoien and Judge Wilson SC on the Planning and Environment Court and Judge O'Brien on the Childrens Court of Queensland (of which he is President), and on the activities of the Health Practitioners Tribunal.

I thank the Judges, the court's officers and administrative staff for the hard work involved in achieving the court's overall performance. Throughout this period the Judges, and the public, have had the benefit of vital support for the court's work from the Director-General, Ms Rachel Hunter, and the Deputy Director-General, Mr Jim McGowan, and the expert assistance of the Principal Registrar and Administrator, Mr Ken Toogood PSM and the Deputy Court Administrator, Mr Cameron Woods, and their staff.



Senior Judge Skoien



Judge Wylie QC



Judge Forno QC



Judge Botting



Judge Robin QC



Judge O'Sullivan



Judge Nase



Judge Brabazon QC



Judge McGill SC



Judge Wall QC



Judge Richards



Judge Shanahan



Judge Dick SC



Judge Rackemann



Judge Griffin SC

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 Senior Judge Gilbert Trafford-Walker His Honour Judge Warren Howell His Honour Judge Ian MacGregor Wylie, QC His Honour Judge Keith Stuart Dodds (Maroochydore) His Honour Judge Garry Spencer Forno, QC 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 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 (Beenleigh) His Honour Judge Milton James Griffin SC Her Honour Judge Julie Ann Ryrie His Honour Judge Ian Francis Macrae Dearden (Southport)

*Judge Irwin cannot perform any of the duties or exercise any powers of a District Court Judge while 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:

Principal Registrar and Administrator (Brisbane)	Ken Toogood PSM
Deputy Court Administrator	Cameron Woods
Sheriff	Neil Hansen
Registrar (Cairns)	John Bingham
Registrar (Townsville)	Robyn Wegner
Registrar (Rockhampton)	Ben Cooke
Information Technology Manager	Ashley Hill
Deputy Registrars	Tracy Dutton (Criminal registry)
	Janja Vidic (Appeals and HPT)
	Leanne McDonnell (Applications)
	Jo Stonebridge (Common Law)
	Jan Daniels/Maryanne Nottingham
Chief Judge's Executive Assistants	Mark Slaven
Chief Bailiff	Michael Hinge
Deputy Chief Bailiff	Katrina Gillespie
Listings Coordinator	Brad Sellers
Criminal List Manager	Stephen Till
Assistant Criminal List Manager	Christina Crimp
Childrens Court List Manager	Kerri Bellchambers
Civil and Applications List Manager	Alfina Tomarchio
Planning and Environment List Manager	Carla Lloyd
Judge' Secretariat	Nancye Gibson
	Ashlea Titasey
	Nicole Gallant

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

Regional Judges

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

In Southport: Judge Newton, Judge Rackemann and Judge Dearden

In Maroochydore: Judge Dodds and Judge Robertson

In Cairns: Judge White and Judge Bradley

In Townsville: Judge Wall QC and Judge Pack

In Rockhampton: Judge Britton SC

In Ipswich: Judge Richards

In Beenleigh: Judge Tutt

Specialist Courts

Planning and Environment Court

The Judges who sat in the Planning and Environment Court during 2005-2006 are listed below:

Chief Judge Wolfe

Senior Judge Skoien

Judge Dodds

Judge McLauchlan QC

Judge Robin QC

Judge Newton

Judge White

Judge Nase

Judge Robertson

Judge Brabazon QC

Judge Wall QC

Judge Pack

Judge Britton SC

Judge Wilson SC

Judge Rackemann

Judge Griffin SC

Childrens Court

Some District Court Judges are commissioned to sit as Childrens Court Judges. The Judges who sat in the Childrens Court during 2005-2006 are listed below:

Judge O'Brien (President)

Senior Judge Trafford-Walker

Judge Newton

Judge White

Judge Nase

Judge Robertson

Judge Wall QC

Judge Pack

Judge Samios

Judge Britton SC

Judge Richards

Judge Bradley

Judge Shanahan

Judge Dick SC

Judge Wilson SC

Judge Tutt

Judge Griffin SC

Judge Dearden

The Work of the District Court

The work of the District Court is the hearing of appeals and the conduct, trial and determination 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 about 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.

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.

The Planning and Environment Court

This court is constituted by a District Court Judge appointed to it. It was constituted by the *Integrated Planning Act 1997*, 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

In many of the centres there was a sharp increase in the number of indictments presented. In Brisbane 2988 indictments were presented, up 396 from last year. In Southport there were 676 indictments presented (629 last year), in Cairns 589 (539 last year), in Ipswich 541 (498), and in Rockhampton 376 (343) with Maroochydore remaining steady at 416 (418). Some of the larger circuit centres showed increases too, such as Toowoomba at 259 (189) and Bundaberg 147 (121). Further, significantly more matters were disposed of in these centres than last year, for example, in Brisbane the Judges disposed of 2971 matters (2586 last year). However there was a considerable decrease in Beenleigh with 486 new indictments presented in the year under report (565 last year), in Mackay at 140 (212 last year) and Maryborough/Hervey Bay with 169 (236).

The Judges of the Criminal Listing Taskforce, the Chief Judge, Judge O'Brien, Judge Hoath, Judge Shanahan, Judge Dick SC and Judge Griffin SC managed the criminal list in Brisbane during the year. In the other regions, the lists were managed by the resident Judge.

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.590AA hearing is required. Before the trial review date, the parties in all cases are expected to raise any foreseeable problems as they arise. In most 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*. In Southport Judge Newton trialled the docket system.

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 more complex matters are case-managed by the Judges, leading to their early disposition. 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 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 Planning and Environment Court

The Planning and Environment Court is constituted under the *Integrated Planning Act 1997* and is comprised of 16 judges of the District Court of Queensland. The court operates under the administration of the Chief Judge. In Brisbane its senior member is Senior Judge Skoien who, with Judge Wilson SC, oversees its day to day management, with the assistance of other judges.

The number of matters disposed of by this court at the various centres throughout the State is shown in Appendix 1.

The Judges introduced important reforms in the Court during the past year, with particular emphasis on case management and Alternative Dispute Resolution (ADR). Greater emphasis has been placed upon mediation, neutral case evaluation and other forms of ADR and on meetings of expert witnesses and resolution or reduction of the issues in dispute. Practice Direction No. 1 of 2006 introduced on 10 February 2006 incorporates these reforms, and was successful in cementing these changes in the Court's strategic direction and achieving its desire to expedite proceedings and reduce costs. All parties must, from the outset in new proceedings, focus on the means by which the action may be accelerated, its hearing time reduced, and the issues crystallised. Through the alternative dispute resolution mechanism in every case, they must also show they have considered how the matter might be resolved other than through a contested hearing, and persuade the Court their proposals are relevant to the special circumstances of each case and the issues in it.

Brisbane has the largest number of continuing matters and there was greater emphasis on case management with the Judges ensuring, so far as possible, that all proceedings were resolved efficiently. In practice this meant that all files still shown as current, whatever their age or history, were reviewed and either disposed of, or revived and managed to finalisation. All new matters are now reviewed regularly and kept current so that none can 'fall out of' the court's case management system. The work involved in identifying old matters and listing them for review to determine their status was arduous but the effect has been salutary. A number of old matters were finalised and others brought to completion. Current and new matters are now managed in an efficient and sensible manner, and cannot leave the system until they are complete. All adjournments are to specified dates, when matters are reviewed again. Almost 2,000 review hearings were conducted during the year.

Active case management is applied throughout the State. There are resident Judges who supervise and case manage in each of Cairns, Townsville, Rockhampton, Maroochydore and Southport. Judges from those centres and Brisbane also review and manage cases filed in registries which do not have a resident Judge.

On 22 February 2006 the Minister for Local Government and Planning announced a review of the *Integrated Planning Act 1997* (IPA) and its Integrated Development Approval System (IDAS). Consultation with the Court was substantial and effective. That review is continuing. The Court also provided detailed submissions, at short notice, about elements of the *Integrated Planning and Other Legislation Amendment Bill 2006*.

The Judges take an active interest in professional and community issues relevant to the jurisdiction throughout Queensland. Judges Wilson SC and Rackemann spoke at the National Environmental Law Association in Canberra on matters relating to expert evidence and witnesses, and attended a conference on judicial mediation in Montreal. Judge Rackemann has also addressed the annual Queensland Environmental Law Association conference, delivered a paper to the Queensland division of the Planning Institute of Australia, and spoken at or chaired seminars organised by the Bar Association and others. Judge Wilson SC is preparing a booklet to assist self-represented litigants in the Planning and Environment Court, and has assisted the Environmental Defenders' Office in the preparation of its detailed publication for the same purpose.

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 appellant 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.

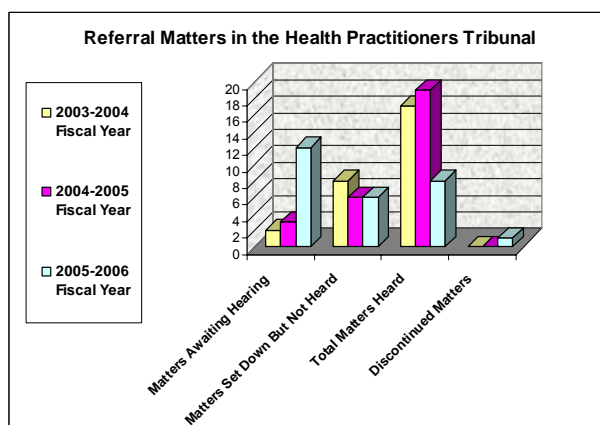
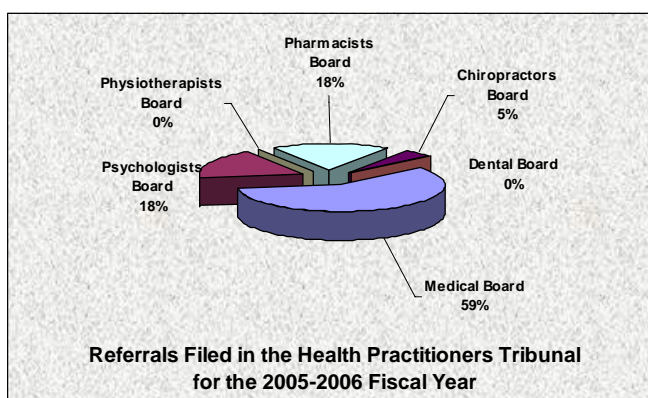
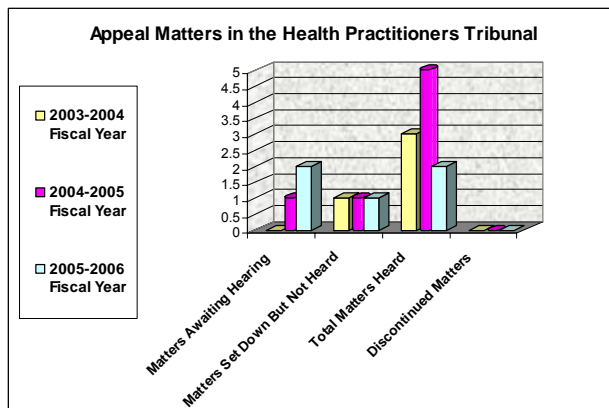
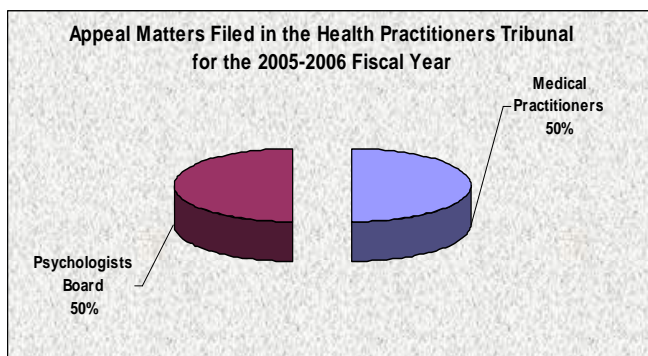
Although all questions of law and fact must be decided by the Judge, the constituting member may have regard to the views of the assessors on factual issues as the member considers appropriate. Throughout the year the operation of the Tribunal was coordinated by Judge O'Brien with the assistance from time to time of Judge Forde, Judge Richards and Judge Griffin SC.

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 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 (59% of all referrals and 50% of all appeals) although there has been an increase in the number of referrals from the Psychologists Board.

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.

The number of matters dealt with by the Tribunal is shown in Appendix 1.



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 17 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* 1992 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.

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.

MAROOCHYDORE

Judiciary

Judge Dodds

Judge Robertson

Two Judges are based at Maroochydore. In addition to the usual work within the jurisdiction of a District Court Judge, both also deal with proceedings in the Planning and Environment Court, a busy jurisdiction. One has jurisdiction as a Childrens Court Judge. Most of the work of the Maroochydore Court is undertaken by the resident Judges. Some is undertaken by Judges from elsewhere who visit on circuit. The Maroochydore based Judges undertake most of the circuit work at Gympie and Kingaroy. They also undertake some circuit work elsewhere in the state including Brisbane.

The Kingaroy district includes the largely indigenous community of Cherbourg. Some of the work of the court involves people from Cherbourg. The Chief Judge and other Judges of the court have met with the Community Justice Group at Cherbourg and discussed issues of concern. One of the initiatives arising out of those meetings is that the township of Cherbourg has been made part of the jury district of the District Court sitting at Kingaroy. Consequently persons from Cherbourg who qualify for jury service will be part of the pool of people from which jury panels are derived.

Maroochydore is a busy centre for the District Court. The registry of the court is combined with the Magistrates Court registry. A consequence has been that registry staff allocated to the District Court have been rotated into and out of their roles, an arrangement termed multi-skilling. When this occurs too frequently or at too brief intervals it can interfere with the smooth continuity of the registry functions of the court. Another consequence has been too few registry staff at any one time allocated to District Court duties. The latter is due to staff in the registry being chronically under-strength. That the arrangement has functioned as well as it has is due in no small measure to the dedication of the registry staff involved. It has however been less than ideal for many years.

The Maroochydore caseload in the criminal, civil, applications, appeals and planning and environment jurisdictions appears in Appendix 1.

SOUTHPORT

Judiciary

Judge Newton

Judge Rackemann

Judge Dearden

In addition to the usual District Court work of the resident Judges, Childrens Court and Planning and Environment court cases were disposed of in Southport and each of the Judges performed circuit work at centres throughout Queensland. Other judges on circuit assisted with the Southport lists. Without their assistance, the criminal lists would be unmanageable but, even as things stand, the growth in the population of the Gold Coast is likely to increase pressure on them. The registry of the court is combined with the Magistrates Court registry.

The Southport courthouse has five courtrooms allocated for use by the District Court. The largest courtroom has been closed for much of the year under report, owing to water damage.

The Southport caseload in the criminal, civil, applications, appeals and planning and environment jurisdictions appears in Appendix 1.

TOWNSVILLE

Judiciary

Judge Wall QC

Judge Pack

Judge Wall QC and Judge Pack are the resident Judges in Townsville, which centre is also served by the Supreme Court Northern Judge and the magistrates. Both judges hold commissions in the Childrens Court and the Planning and Environment Court. Judge Wall QC and Judge Pack manage the lists, and besides sitting in Townsville, visit many other places throughout Queensland on circuit. Considerable assistance is provided by Judges on circuit from other centres.

The Registry in Townsville serves both the District and Supreme Courts.

The Townsville caseload in the criminal, civil, applications, appeals and planning and environment jurisdictions appears in Appendix 1.

CAIRNS

Judiciary

Judge White

Judge Bradley

Judge White and Judge Bradley are the resident District Court Judges in Cairns which centre is also served by the Far Northern Judge (Supreme Court) and five Magistrates. Both judges hold commissions as Childrens Court Judges and Judge White is a Judge of the Planning and Environment Court. Whilst the bulk of the judicial work is carried out in Cairns and the Cairns region, including Innisfail and Cape York, both of the Cairns Judges carry out circuit work outside the region for a few weeks each year. Some assistance is provided by Judges on circuit from other centres.

The Registry in Cairns serves both the District and Supreme Courts.

The Cairns caseload in the criminal, civil, applications, appeals and planning and environment jurisdictions appears in Appendix 1.

ROCKHAMPTON

Judiciary

Judge Britton SC

The resident Judge in Rockhampton, Judge Britton SC, also holds commissions in the Planning and Environment Court and the Childrens Court of Queensland. He conducted circuits in other centres. Considerable assistance is provided by Judges on circuit from other centres.

The Registry in Rockhampton serves both the District and Supreme Courts.

The Rockhampton caseload in the criminal, civil, applications, appeals and planning and environment jurisdictions appears in Appendix 1.

IPSWICH***Judiciary***

Judge Richards

Judge Richards is the resident judge and holds a commission in the Childrens Court of Queensland. Considerable assistance is provided by Judges on circuit from other centres. The registry of the court is combined with the Magistrates Court registry.

The Ipswich caseload in the criminal, civil, applications, and appeals jurisdictions appears in Appendix 1.

BEENLEIGH***Judiciary***

Judge Tutt

Judge Tutt is the resident judge and holds a commission in the Childrens Court of Queensland. Considerable assistance is provided by Judges on circuit from other centres. The registry of the court is combined with the Magistrates Court registry.

The Beenleigh caseload in the criminal, civil, applications, and appeals jurisdictions appears in Appendix 1.

Circuit Centres

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

A list of the 36 centres (excluding those with a resident Judge) to which the court travelled on circuit during 2005-2006 appears below:

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

Committees

The membership of the Judges' Committees, the Chief Judge being an ex officio member of each committee, at 30 June 2006 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
Judge Griffin SC

Court Planning

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

Regional Judges

Convenor: Judge Richards
Members: Judge Robertson
Judge Bradley

Salaries and Entitlements

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

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.

As noted in previous reports, the committee continues to be concerned about the training and support available to members of Community Justice Groups throughout Queensland to enable them to meet their statutory role in sentence proceedings.

On 10 February 2006, the Chief Judge wrote to the Attorney-General and Minister for Justice concerning an audit regarding the administrative responsibility for Community Justice Groups. The letter stressed the importance of Community Justice Groups and noted that the Judges' offer to participate in training for the Groups had rarely been accepted in recent years. The Chief Judge noted that the Judges were of the opinion that Community Justice Groups performed a vital function in remote communities and in relation to the administration of justice in Queensland. She noted with regard to the Community Justice Group role with respect to Alcohol Management Plans, that the Judges on circuit to remote communities had seen a noticeable drop in the number of offences of serious violence coming before the court.

On 13 February 2006, the Chief Judge, Judge Shanahan and the Principal Registrar, Mr Ken Toogood PSM, met with members of the audit group, and reiterated the Judges' concerns. As a result of the audit, administrative responsibility for Community Justice Groups has passed to the Department of Justice and Attorney-General. It is to be hoped that, as a result, the Groups will receive appropriate support and training.

There has been little progress in the provision of training for interpreters in Aboriginal languages in remote communities. In Aurukun, the Community Justice Group have repeatedly voiced concerns about proceedings being conducted entirely in English. As noted last year, the Judges remain concerned that insufficient is being done to provide appropriate training and to encourage participation in the training which is available.

During the 2005-2006 financial year remote circuits were again performed to the Gulf (Mornington Island, Doomadgee and Normanton) on two occasions, to the Cape (Weipa/Napranum, Aurukun, Pormpuraaw, Lockhart River and Kowanyama) on two occasions, to Thursday Island and Bamaga on two occasions and to Yarrabah.

On 18 July 2005, the Chief Judge, Judge Robertson and Judge Shanahan again met with representatives of the Cherbourg community. Discussions took place about conducting sentence proceedings in the Cherbourg Community Courtroom. On 11 August 2005, Judge Robertson conducted sentence proceedings at Cherbourg. Unfortunately the facilities were completely inadequate and it has been decided that Cherbourg sentence matters will be conducted at Murgon during circuits to nearby Kingaroy.

On 20 September 2005, the Chief Judge wrote to the Attorney-General and Minister for Justice conveying the concern of the Judges with respect to the facilities at Cherbourg. In a response

dated 19 October 2005, the Attorney-General, whilst supporting initiatives for the court to sit in indigenous communities, noted that due to Murgon's close proximity to Cherbourg, there was no proposal at the present time to upgrade the court facilities at Cherbourg. The Attorney-General noted that the need for upgrading would be considered when capital and minor works funding priorities were being determined.

At the Cherbourg meeting, the community indicated that it was happy that the community would be included in the Kingaroy Jury District. Copies of the Juror's Handbook and the jury video were distributed to enable preparations in that community for the important role as jurors.

As a consequence of the meeting at Cherbourg the Chief Judge also wrote to the Attorney-General and Minister for Justice about concerns raised by members of the community about the implications of Cherbourg becoming a Shire Council. The Attorney-General responded on 20 September 2006 that she had been advised by the Department of Local Government, Planning, Sport and Recreation that the Cherbourg Shire Council did not have powers in relation to community courts. The request for a visit by officers to explain changes to governance arrangements was forwarded to that Department.

On 22 July 2005, the Chief Judge also wrote to the Federal Attorney-General regarding the provision of legal services in the Murgon-Cherbourg region following the reorganisation of the provision of legal services to Aboriginal and Islander people. Concerns had been expressed that the level of services would fall. The Federal Attorney-General responded on 9 September 2005, that the recently granted tender would actually increase the number of permanent solicitors providing services in the region. Although there had been some initial problems, the Attorney-General was confident that the revised arrangements would provide effective legal services.

The Judges have also been concerned about the new arrangements with respect to Aboriginal Legal Services and the impact they are having on the provision of legal services to indigenous Australians. It seems to be that the provision of services are stretched to breaking point, particularly in North Queensland. This is, of course, having an impact on the quality of the service provided to those citizens.

Because of continuing difficulties with facilities, the District Court has been unable to return to conduct sentence proceedings on Palm Island. On 14 November 2005 the Chief Judge wrote to the Attorney-General and Minister for Justice concerning plans for a new court house on Palm Island. On 7 December 2005 the Attorney-General responded that a temporary courthouse had been constructed on Palm Island which was limited in size but separate from the temporary police station. On 16 January 2006 the Attorney-General advised that the plans for the construction of a permanent courthouse had not yet been finalised. The temporary court would have to be used for the whole of 2006.

On 31 October 2005, the Chief Judge attended Woorabinda. She met with the Council Clerk, members of Council and members of the Community Justice Group. As a result efforts are being made to conduct sentence proceedings at Woorabinda in the 2006-2007 financial year.

In December 2005, the Chief Judge replied to an invitation from the Attorney-General and Minister for Justice to respond to a review of the Murri Court. The Chief Judge advised that the concept was wholeheartedly worth supporting. Key outcomes which could be investigated were the Court's impact on recidivism rates and the completion rates of community based orders. Pending a positive result of the review, it would be appropriate to expand the concept, particularly to remote communities.

On 8 November 2005, Judge O'Brien (President of the Childrens Court of Queensland) and Judge Shanahan met with Dr Brett Hayward, Regional Director, Far North Queensland, Department of Communities to discuss the administration of youth justice orders in remote indigenous communities. This followed several meetings Dr Hayward had with Judge Bradley in Cairns. The meeting discussed the expanded role of the Department in remote communities, particularly with respect to the response to the problem of petrol sniffing.

In April 2006 Judge Richards attended a meeting of interested parties in an endeavour to establish a Community Justice Group for the Ipswich area.

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

On 3 March 2006, Judge Bradley presented a paper "Applying Restorative Justice Principles in the Sentencing of Indigenous Offenders and Children" at the Judicial College of Australia's Sentencing Principles, Perspectives and Possibilities Conference held in Canberra. In October 2005, Judge Forde spoke at the Great Aboriginal Debates on "The Nature of Circuits to the Gulf and the role of the Community Justice Groups." In March 2006, Judge Forde presented a paper "Indigenous Community Justice Groups in Queensland" at the Sino-Australia Judicial conference in Taiyuan, China.

CIVIL PROCEDURE COMMITTEE

The Chief Judge is frequently asked for or wishes to provide comment on behalf of the court about the operation of Commonwealth and State legislation bearing on the court's civil jurisdiction and about changes that might be made. The Civil Procedure Committee are available to offer suggestions and assist her in providing submissions. They also help in devising and drafting of practice directions; members meet with judges of the Supreme Court with a view to achieving uniformity where the courts have common jurisdiction, for example in applications for property adjustment orders under part 19 of the *Property Law Act 1974* between de facto spouses, as recently by way of review of Practice Direction No 5 of 2004, issued by the Chief Judge on 8 November 2004.

Committee members sit on the Chief Justice's Rules Committee established under section 118C of the *Supreme Court of Queensland Act 1991*; from time to time, they give presentations relating to current issues in civil procedure at conferences and meetings of judges of the court and professional groups.

Members typically communicate by e-mail and like means, as occasion arises, rather than working through formal meetings, which circuit commitments or location at a non-metropolitan centre would often preclude. They welcome input from and are at the disposal of other judges who may wish to raise matters within their area of concern.

COURTS PLANNING COMMITTEE

The committee's work has focussed, primarily and appropriately, on plans for a new courts building in Ipswich and preliminary discussions around a proposed new Higher Courts building in Brisbane. This work involved meetings with officers of the Department, inspection and measurement of courtrooms, jury rooms and facilities, and chambers, and lengthy and detailed discussions over plans and drawings.

The committee was actively involved with the Chief Judge and Judge Richards the Ipswich regional judge, in the preparation of final plans for the new Ipswich Courthouse. They were also consulted during discussions about possible sites for a new Higher Courts building in Brisbane and, more recently, Judges Wilson SC and Griffin SC have attended meetings of the Requirements Working Group set up to ensure the Supreme and District Courts have an active role in planning for the new building, for which preliminary funds were allocated in the State Government's budget in May 2006. In the course of this work several committee members with the Chief Judge attended a valuable conference on courthouse design in Melbourne.

The committee has also considered, and assisted the Chief Judge with, a response to an NJCA draft of a proposed standard for continuing judicial education and development; drafted a standard form for letters appointing new Associates; discussed circuit arrangements and conferred with the Chief Judge about the management of lists at centres without a resident judge.

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 August 2005, the Judges' annual conference was held. Speakers included Mr G Crooke QC and Professor G Reinhardt, the Executive Director of the Australian Institute of Judicial Administration, on judicial ethics and accountability, Mr I Hanger QC spoke on 'Mackenzie's Friend' and Mr D Price spoke about engaging school students with the underprivileged members of the community. The speakers were of a very high quality; the papers were informative and covered a broad range of topics.

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

Judges presented papers, spoke at or attended workshops or conferences throughout the year: Judges Nase and Wilson SC at a Judgment Writing program in Melbourne; Judges Griffin SC, Ryrie and Dearden at the National Judicial Orientation program in Sydney; Judges Wilson SC and Rackemann at the Judicial Mediation in Montreal; Judge Dick SC spoke at the Children and the Courts in Sydney; Judge Robertson spoke on sentencing at a public lecture at QUT; Senior Judge Skoien, Judge Shanahan and Judge Dick SC spoke at the NJCA Travelling Judicial Education program; Judge Richards spoke at the NJCA Jury workshop in Sydney; Judge Robertson spoke at the NJCA Sentencing conference in Canberra; Judges Robertson and Dick SC attended the Phoenix Judges' Program in Canberra; and Judge O'Brien attended the AIJA Youth Justice and Child Protection conference and South Pacific Council of Youth and Children's Courts in Hobart.

Registry Services and Administrative Support

OFFICE OF THE PRINCIPAL REGISTRAR AND ADMINISTRATOR

The offices of the Principal Registrar and Administrator, Court Administration and Sheriff provide administrative support to the District Court of Queensland. The Principal Registrar and Administrator, Mr Ken Toogood PSM, is responsible for budget and resource management and the administrative functions of the Supreme Court and the District Court.

The Principal Registrar and Administrator is assisted by the Deputy Court Administrator, Mr Cameron Woods, and a small team of administrative staff who undertake a variety of administrative tasks to ensure the smooth, efficient and effective operation of the Supreme and District Courts and to achieve particular projects suggested by the judiciary.

The protection of vulnerable witnesses, including children and sexual assault victims continued during the year under review with the installation of vulnerable witness waiting rooms in Bundaberg, Ipswich, Mackay, Maroochydore, Toowoomba and Townsville. These facilities ensure that witnesses have secure areas when they attend court. On 23 November 2005, Her Excellency The Governor, officially opened the Child and Vulnerable Witness Suite which incorporates an evidence room, waiting rooms, a kitchen, toilet facilities with disabled access and an office and room for the advocacy group Protect All Children Today (PACT).

As part of an upgrade of security throughout Queensland courthouses, various security equipment including new metal and infrared detectors, digital recording equipment, security checkpoints, alarms and closed circuit television was installed at the Townsville Supreme and District Courts complex.

RETIRED OFFICERS

In March 2006, Queensland Government Agencies were able to offer Voluntary Early Retirement to staff under the Workforce Skills Alignment Scheme. Staff who accepted the offer were Ken Toogood PSM, Principal Registrar and Administrator; Eric Kempin, Senior Deputy Registrar, Brisbane; John Bingham, Registrar, Supreme and District Courts, Cairns; Pat Gould, Client Relations Officer, Brisbane and Danny Coppolecchia, Registry Manager, Brisbane.

Mr Toogood was the longest serving of the group with 41 years of public service and he is the longest serving of the 23 Supreme Court Registrars and 14 District Court Registrars who have served the courts over the last 145 years. The length of service for the other officers was: Eric Kempin, 40 years; John Bingham, 40 years; Pat Gould, 37 years and Danny Coppolecchia, 32 years.

CONTINUAL PROCESS IMPROVEMENT PROGRAM (CPIP)

The Registry of the Supreme and District Courts is committed to ongoing process improvement. As part of this commitment, during 2005 the Registry initiated the Continual Process Improvement Program (CPIP) to:

- improve efficiency by analysing entrenched business processes and streamlining or removing them to achieve the desired outcome more effectively;
- motivate and empower staff to incorporate *innovation* and *initiative* into their day to day functions;
- provide a vehicle through which feedback and ideas that emerged during consultation with staff can be implemented in a planned and controlled manner;
- improve focus on client service generally;
- document business requirements and prepare functional specifications to support future automation;
- enhance software applications to better support revised practices;
- improve collation and dissemination of workload statistics and key performance indicators;

- implement training, effective performance measurement and career development opportunities for staff;
- introduce a high quality, consistent style of communication to all publications, correspondence, brochures, web sites and other externally delivered material.

The CPIP Team is mainly comprised of Courts staff working closely with external contractors when additional expertise is required.

Over the last 12 months, the following activities have been undertaken within the Program:

- the program team has been established and key staff have been trained in the software being used to support the Business Process Reengineering;
- the written communications of the Supreme and District Courts have been reviewed and recommendations are now being considered;
- all statistical reports currently produced by the Registry have been reviewed;
- Business Process Reengineering has commenced;
- a full time learning and development manager for the Supreme and District Courts has been appointed;
- delivery of CPIP Information sessions and newsletters to Registry staff.

The recurring key business improvement themes are:

- improve public access to information relating to the business of the Courts;
- improve staff knowledge of information relating to the business of the Courts;
- utilise technology to improve court services;
- restructure the Registry organisation and processes to improve interactions with the judiciary, litigants and the public.

COUNTER RELATIONS

The Supreme and District Court Registry is located on the ground floor of the Law Courts complex.

Registry officers assess documents for filing and set dates for applications, costs assessments and other court appointments. Staff assess fees payable and provide information to persons with regard to court procedures. Between 9am and 10am daily, a dedicated administrative officer is allocated to the reception desk located outside the counter's secure area. This area is the first contact point for enquiries.

Approximately 1,000 people per week attend the Supreme and District Court registry. This figure has dropped from an average of 1,100 people in 2004-05, but the number of documents filed by post has increased. At the George Street end of the Supreme and District Court counter, two wireless computer terminals (with a printer attached) are available for use by members of the public, free of charge, to conduct searches and view document lists on court files. During the year, some renovations to the counter were completed. The new counter area provides wheelchair access and staff are able to be seated at their station.

DEFAULT JUDGMENTS

A party may end proceedings early by filing certain applications under the *Uniform Civil Procedure Rules* 1999. One of the methods used is to file an application for default judgment.

Applications for default judgment have continued to increase during this reporting period.

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 any reasons for decision.

In 2005-2006 there were 29 applications filed, 23 orders made on the papers and oral hearings required in six cases.

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.

Applications for consent orders have continued to increase during this reporting period.

WAIVER OF FEES

Impecunious persons can apply to a Registrar for a filing fee waiver and exemption.

A total of eight applications were made to the Registrar during the reporting period and all eight applications were granted. The total value of fees waived is \$3,430.

COST ASSESSMENTS

The Court has power to award costs. When such an order is made, the costs are to be "assessed" costs (Rule 685 *Uniform Civil Procedure Rules* 1999). The assessment of costs will be by a Registrar of the Court (Rule 684 UCPR). The statistics, recorded in Appendix 1, reflect the various steps in the procedure for the assessment of costs. Initially, the Registrar will conduct a directions hearing to ensure all procedural requirements of the Rules have been met. At this stage, preliminary issues that might prevent the assessment from proceeding are also disposed of in some cases. The assessment hearing will involve the appearance of the parties' legal representatives before the Registrar, unless the matter can be dealt with summarily by the Registrar where there is no appearance and no objection as to the claim by the party entitled to the costs.

At the conclusion of the assessment, a party who is dissatisfied with the Registrar's determinations has the opportunity to apply for the re-consideration of those decisions. In such a case, the Registrar will deliver written reasons that address the party's specific objections. Cost assessments have decreased during this reporting period.

FUNDS IN COURT

The *Court Funds Act* 1973 permits litigants to pay or deposit monies into court. As at 30 June 2006 there were thirty-four (34) accounts with a monetary value of \$1,586,383.66.

The Registrar obtained an order from the Court on 30 May 2006 to transfer the sum of \$6,817.42 to the Consolidated Revenue Fund. This sum was made up of two accounts that had not been dealt with during the previous six years other than under continuous investment or payment of interest.

FILING BY POST

There has been a continued increase in documents filed by post. This service enables practitioners and self-represented litigants to file documents without the need to attend the registry. The current postal dealing fee is \$19.00.

2,157 claims and 1,364 originating applications were created in the Courts civil database Civil Information Management System (CIMS) this year, in addition 38,321 document filings have been recorded in the database.

ALTERNATE DISPUTE RESOLUTION (ADR)

Alternate Dispute Resolution (ADR) is a process of resolving matters before the Court. The benefits of ADR include a more expeditious and less expensive resolution of disputes. ADR in the District Court exists in two forms, namely mediation and case appraisal. Mediation is an agreed resolution of the matter with the assistance of an independent third party. Case appraisal is a process where a case appraiser (a court-approved lawyer) provisionally decides the dispute. Legal practitioners and parties have embraced the ADR process which has resulted in reduced court waiting lists. The names of court-approved mediators and case appraisers, their particulars and charge rates can be accessed on the court's website (www.courts.qld.gov.au/practiceandprocedures/).

LISTINGS DIRECTORATE

The Listing Directorate is responsible for listing arrangements for the Supreme and District Court. It is managed by the Listings Coordinator (ListingsCoordinator@justice.qld.gov.au). The officers of the Listings Directorate are responsible for the administrative management of the Criminal, Civil, Planning and Environment Court, Children's Court and Applications Lists. The Listing Directorate liaises with the Bailiffs, State Reporting Bureau, Corrections and other parties to ensure Court proceedings run smoothly. The District Court Criminal List Manager and Assistant Criminal List Manager positions have been upgraded to accommodate the responsibility and work load of the positions.

The contact details for these listing managers are:

District Court Criminal List Manager
DC-CrimListManager@justice.qld.gov.au

District Court Assistant Criminal List Manager
DC-AsstListManager@justice.qld.gov.au

Childrens Court List Manager
DC-ChildrensCourtListManager@justice.qld.gov.au

Planning and Environment Court/Circuit List Manager
DC-PEListManager@justice.qld.gov.au
DC-CircuitsListManager@justice.qld.gov.au

District Court Civil and Applications List Manager
dc-apnmanager@justice.qld.gov.au
dc-civillistmanager@justice.qld.gov.au

The relevant list manager should be the first point of contact for parties and Practitioners are actively encouraged to use email for such contact. Since February 2005, the Listings Directorate has had assigned to it an officer to facilitate the administrative requirements imposed by the *Evidence (Protection of Children) Amendment Act 2003*.

The Affected Child Witness - Evidence Officer (ACW-Evidence@justice.qld.gov.au) ensures that tapes are securely stored, edited, copied and delivered to the registry where the trial is being held.

CRIMINAL REGISTRY

The Queensland Wide Interlinked Courts (QWIC) information database was upgraded in March 2005. Since then, there have been modifications to the system to capture all aspects of the District Court and Children's Court procedures and to improve the capacity of the system to produce the required documentation and management information.

STAFF LEARNING AND DEVELOPMENT

As part of the Continual Process Improvement Program (CPIP) initiative the creation of Learning and Development Manager within the Registry was created in 2005. The focus for this position is on the provision of quality services and improving technical and leadership skills of staff and supervisors. Highlights for 2005-06 include the successful development and delivery of a Supreme and District Courts Leadership and Development program to staff. This includes a mentoring and coaching component. Eight staff completed this program and in addition, a Supreme and District Courts Induction program was developed and delivered in May 2006 and ten new starters to the Courts staff attended.

SHERIFF'S OFFICE

Jury management

The Sheriff's Office in Brisbane manages the requirement to have jurors available for all Supreme and District Courts in Queensland. The *Jury Act 1997* allows jurors summonsed to a court centre to be used for both Supreme and District Court trials in either the criminal or civil jurisdiction. All Supreme and District Court registries now have access to the Queensland Jury Administration System, a computer system that assists staff in recording prospective jurors' information and attendances at court.

This financial year is the first year that state-wide information is available in respect of jurors attending court centres. The following information summarises information regarding notices and summonses issued and attendances of jurors for the Supreme and District Courts:

Court	Notices Sent	Summonses Issued	No. of Jurors Attended	Total Attendances (excluding Trials)
BEENLEIGH	13,000	1,683	1045	1,136
BOWEN	2,800	332	272	531
BRISBANE *	45,500	5,955	4576	7,850
BUNDABERG *	4,000	460	309	916
CAIRNS *	8,600	1,595	1291	2,087
CHARLEVILLE	2,400	145	138	345
CHARTERS TOWERS	2,200	92	0	-
CLONCURRY	0	0	-	-
CUNNAMULLA	0	0	-	-
DALBY	1,400	219	79	71
EMERALD	800	102	86	140
GLADSTONE	4,107	498	317	535
GOONDIWINDI	1,450	174	102	135
GYMPIE	3,000	454	302	310
HERVEY BAY	1,500	209	162	434
HUGHENDEN	800	48	45	45
INNISFAIL	1,200	154	46	64
IPSWICH	15,600	1,592	1241	2,915
KINGAROY	3,100	454	301	472
LONGREACH *	1,300	148	43	43
MACKAY *	7,450	839	622	1,416
MAROOCHYDORE	13,000	1,649	1127	1,594
MARYBOROUGH *	3,900	351	265	550
MOUNT ISA *	4,900	553	315	447
ROCKHAMPTON *	6,650	996	751	1,966
ROMA *	2,100	176	132	135
SOUTHPORT	16,500	2,372	1649	3,628
STANTHORPE	900	125	101	168
TOOWOOMBA *	4,950	659	526	1,257
TOWNSVILLE *	9,500	984	807	2,236
WARWICK	1,600	237	188	189
TOTAL	184,207	23,255	16,838	31,615

* The attendance of a juror could be for either a Supreme or District Court trial or both on a particular day.

The attendances noted above resulted in jurors being empanelled on the following District Court trials:

Court	No. of Trials (Jury Empanelled)	No. of Jurors Empanelled (at least once)	Total Days Empanelled	Total Trial Days (including jury non-attendance)	Average Length of Trial (in days)
BEENLEIGH	21	246	684	58	2.76
BOWEN	11	125	372	31	2.82
BRISBANE	162	1638	5833	493	3.04
BUNDABERG	12	131	360	32	2.67
CAIRNS	51	506	1810	154	3.02
CHARLEVILLE	4	36	60	5	1.25
CHARTERS TOWERS	0	-	-	-	
CLONCURRY	0	-	-	-	
CUNNAMULLA	0	-	-	-	
DALBY	3	28	60	5	1.67
EMERALD	2	24	96	8	4.00
GLADSTONE	12	119	417	35	2.92
GOONDIWINDI	0	-	-	-	
GYMPIE	9	102	300	25	2.78
HERVEY BAY	8	70	168	16	2.00
HUGHENDEN	0	-	-	-	
INNISFAIL	2	21	36	3	1.50
IPSWICH	69	600	2010	177	2.57
KINGAROY	8	89	304	24	3.00
LONGREACH	0	-	-	-	
MACKAY	19	194	564	47	2.47
MAROOCHYDORE	23	249	744	65	2.83
MARYBOROUGH	12	102	391	36	3.00
MOUNT ISA	5	52	108	9	1.80
ROCKHAMPTON	28	271	1031	86	3.07
ROMA	3	33	93	10	3.33
SOUTHPORT	54	565	1848	154	2.85
STANTHORPE	3	36	60	5	1.67
TOOWOOMBA	7	79	204	17	2.43
TOWNSVILLE	43	401	1292	108	2.51
WARWICK	4	48	144	12	3.00
TOTAL	575	5765	18989	1615	2.81

Of the 162 Brisbane trials, 38 extended their deliberations outside of normal court hours and 12 juries needed accommodation overnight. One jury was provided accommodation for two nights.

Enforcement

The Sheriff as a Deputy Registrar of the court is responsible for the enforcement of court orders by way of certain types of warrants. During 2005-06 the Sheriff in Brisbane received the following warrants for enforcement.

Type of Enforcement Warrant	2003-04	2004-05	2005-06
Possession of Land	35	55	49
Seizure & Sale of Property	29	39	43
Delivery of Goods	1	1	2
Arrest	2	1	2
TOTAL	67	96	96

Of the warrants received, 19 possession of land warrants were successfully enforced.

Bailiffs' Office

The Chief Bailiff assigned bailiffs and casual bailiffs to the following sittings of the District Court in Brisbane:

Court Sitting	2003-04	2004-05	2005-06
Criminal	1554	1484	1632
Civil	274	199	261
Applications	277	183	286
Planning & Environment	194	228	266
Health Practitioners Tribunal	20	39	22
Administrative Duties	100	35	56
TOTAL	2419	2168	2523

Information Technology

WIRELESS INTERNET IN COURTS

Building on the eCourts initiatives of previous years the Courts established the Courts Wi-Fi Service during 2005-06. This Service has established broadband wireless internet access in over ninety-five (95) courtrooms throughout the state. The service is provided free of charge to Courts users and allows legal representatives, self represented litigants and interested parties to:

- Access the wealth of legal research materials published on the Internet, including legislation and leading case law,
- Maintain real-time contact with an extended legal team outside of the courtroom through Instant Messaging or e-mail,
- Obtain access to remote systems at their firm's premises where those systems support remote access.

This innovative service is leading the way in Australian Courts. While some Courts in the United States and the United Kingdom allow commercial service providers to provide an equivalent service in some locations, the Queensland Courts are providing this service free of charge and in many locations.

Selected courtrooms have been Wi-Fi enabled in the following locations:

- Beenleigh Courthouse
- Brisbane Law Courts Complex
- Brisbane Magistrates Court
- Brisbane Children's Court
- Cairns Courthouse
- Ipswich Courthouse
- Maroochydore Courthouse
- Rockhampton Courthouse
- Southport Courthouse
- Townsville Courthouse

Further information on the Courts Wi-Fi Service, and a complete listing of Wi-Fi enabled courtrooms, can be found at <http://www.ecourts.courts.qld.gov.au/eCourtroom/wifi.asp>.

eCOURTS

The popularity and penetration of the existing eCourts services remained high during 2005-2006.

The eSearching facility (www.ecourts.courts.qld.gov.au/eSearching/eSearching.htm), in particular, continued to be extremely popular with the service passing the important milestone of 500,000 searches. Over 147,789 of these searches were conducted outside normal business hours demonstrating the flexibility of this service delivery medium to the legal sector and the people of Queensland.

On average there are now over 1,300 on-line searches conducted free every day. This capability and the frequency with which it is used represents a real benefit to the Courts users and demonstrates the Courts commitment to enhanced service delivery.

QUEENSLAND SENTENCING INFORMATION SERVICE

During 2005-2006 the Department of Justice and Attorney-General, in partnership with the Judicial Commission of New South Wales, established QSI – the Queensland Sentencing Information Service. The Courts have actively supported the establishment of the Service.

The Service brings together a variety of information relevant to sentencing to make legal research activities associated with sentencing more efficient and effective. The Service will include Queensland and Commonwealth legislation, leading case law from the High Court of Australia and the Queensland Court of Appeal as well as statistics on sentences imposed.

EQUIPMENT REPLACEMENT

A rolling program of IT asset replacement continued through 2005-06 with notebook computers used by judges replaced in Brisbane and regional Queensland. A number of the file servers and networking devices were replaced to service the present and medium-term needs of the Court.

CABLING

Many courtrooms throughout the state had additional data cabling installed on the bench and at associates desks which will allow the Court to consider installing computers in courtrooms in the future.

The Court Library

This year the Library has continued to deliver broad-ranging information programs and services which benefit the judiciary, legal profession and wider community. As in previous years, a focus on developing innovative solutions in-house has enabled services to be provided cost-effectively whilst enhancing staff skills and experience. Areas in which the Library has acquired such skills and experience include: information management; online and multimedia technologies; strategic partnerships; scholarly research; print and e-publishing; historical preservation; exhibitions and education. In the future the Library will continue to consolidate and supplement its skill base with a particular focus on exploiting technology to deliver cutting edge services.

The primary role of the Library, and a focus of activity in 2005-06, is to facilitate timely and effective access to legal information resources for judges of the Supreme and District Court, practitioners and the wider community in Queensland. Access to electronic resources is delivered through a series of online gateways, each customised to best serve the relevant user group. This year approximately 1.4 million visits were recorded via Library online gateways, which include the courts website, Judicial Virtual Library, online catalogue and local access intranets. Access to the research quality collection, comprising current and retrospective material from over 30 jurisdictions, is facilitated through information advisors who serviced over 14,000 reference, research, loan and document delivery enquiries in 2005-06. The Library currently utilises a number of knowledge management systems to track and record this value-added information and in 2006-07 we will be exploring opportunities to refine and adapt these systems. This experience may be exploited as part of a broader project to implement a Court wide knowledge management system.

In addition to fulfilling these core information functions, the Library serves the broader community as a centre for the preservation of Queensland's legal history. Whilst continuing existing and highly valued programs such as the oral history project and exhibitions schedule, the Library has also pursued an active schedule of research and publication projects with the intention of making a significant contribution to legal historical scholarship in Queensland. This contribution was formally recognised in 2005-06 with the amendment of the *Supreme Court Library Act 1968* to enable the Library to accept donations of historical legal documents. The first of these donations will be the nationally significant collection of Feez Ruthning legal opinions, dating from 1890, which will be deposited by the firm Allens Arthur Robinson. With the assistance of a LPITAF (Legal Practitioner Interest on Trust Accounts Fund) grant, the Library has commenced a landmark digitisation project to transcribe and publish these and other historical legal documents pertaining to Queensland.

Information services and online initiatives

The Queensland Courts website, designed and administered by the Library on behalf of the Court, remains a critical contact point for members of the legal and wider community. In total, 1.1 million visits were recorded in 2005-06, an increase of 30% over the preceding year. The most popular services include: full-text judgments (over 11,860 judgments including 1,724 from the District Court); daily law list email subscription service (50% increase to over 2,100 subscribers); judicial articles and speeches; Uniform Civil Procedure Rules Bulletin; and forms and legislation. The substantial review of the website, initiated in the previous year with the generous funding of the Incorporated Council of Law Reporting, has reached the development phase, with the implementation of a comprehensive Content Management System a major objective. This project will continue to be directed in accordance with the strategic goals of the Court and will be greatly informed by future surveys of the profession and wider community.

The Library also maintains a series of information portals which provide controlled access to a range of databases and resources, in accordance with specified user groups and licencing requirements. Such portals include the Judicial Virtual Library (JVL); Regional Library Infowebs in Cairns, Rockhampton and Townsville; and the Library's catalogue. These online access points are particularly beneficial for District Court judges working in regional areas, who are able to access a wide range of legal and non-legal information from their desktop. In 2005-06 the Library undertook a major upgrade of the online catalogue hardware and software to create new opportunities to streamline access to e-resources and integrate such access seamlessly with other web-based portals.

In addition to delivering commercial services, these portals feature content from the Library's own e-publishing program. Such value-added services include the Queensland Legal Indices Judgment and Sentencing Online Database, research guides and the *Review of Books*. In the coming year, the judicial current awareness service will be converted to online format, delivering selected articles on topics as diverse as law, politics, history, philosophy, science and technology. In the current print based version, the service has remained very popular with recipients rating it 4.4/5 overall in a recent survey.

Looking to the future, the Library will continue to monitor trends in the publishing industry and larger library environments to identify early indicators of change and opportunity in information services. This will include consideration of how existing activities, such as *QLI Online* and the publication of judgments on the Courts website, may be consolidated to create a cohesive and cost-effective service. As part of this strategy the Library will investigate mutually beneficial partnerships with other publishing bodies, including the Incorporated Council of Law Reporting, and exploit the expertise developed through the Library's broader publishing program which, as mentioned, encompasses scholarly works and retrospective digitisation of historical legal material.

Collection development and access strategies

In view of the significant and ongoing cost increases imposed by legal publishers, the Library has been challenged to maintain the depth and diversity of information within collection in both print and electronic format. The continued migration to online services will enable the rationalisation of print resources held at the Law Courts Complex, yielding some savings in terms of cost and storage space. However, in the future the Library will still fulfil a critical role as the central archive of printed legal resources in Queensland. As many practitioners and organisations convert to online only collections, the Library will be relied upon to provide back-up access to print versions and to preserve historical material necessary for in-depth legal research.

During 2005-06, in partnership with the QUT Faculty of Law and with special funding from the Incorporated Council of Law Reporting, the Library's pacific legal collection was substantially upgraded and updated. The development of such special collections, which include materials not available online, ensures that important materials continue to be accessible for the benefit of Judges, practitioners, academics, students and members of the public.

Expanding the electronic collection, and enhancing access to these and public domain resources via the Library's online catalogue and intranets, has also been a priority in 2005-06. Internet enabled kiosks are now online in the Rockhampton, Townsville and Cairns courthouses, delivering direct access to the electronic collection. In addition, District Court judges are able to access local reference collections in ten centres throughout Queensland, and this year the Library invested 32.7% of total subscriptions budget on regional development. When the number of practitioners in each centre is considered, expenditure per member of the local profession was \$449 in Townsville and \$891 in Rockhampton compared to \$115 in Brisbane.

Research and publications

Following several years of growth, the Library research and publication program has now achieved a substantial production schedule, with a series of scholarly research projects being undertaken simultaneous to commissioned historical and legal works.

The major publication released in 2005-06 was *A Woman's Place: 100 Years of Queensland Women Lawyers*, launched on 9 November 2005 by the Hon P de Jersey AC, Chief Justice of Queensland, to coincide with centenary celebrations of the enactment of the *Legal Practitioners Act 1905 (Qld)*. The publication features: biographical profiles of 51 women (including seven currently serving in the District Court) who have significantly contributed to the legal profession in Queensland over the past 100 years; original historical essays on women in the Queensland legal profession; and detailed statistics relating to the admission of women lawyers in Queensland. Much of the information contained within *A Woman's Place*, particularly in relation to the profiles of contemporary personalities, is not available elsewhere and as such it is an indispensable reference work. The project was sponsored through a LPITAF grant and funding from the University of Queensland, and the Faculties of Law at QUT and Griffith University.

The Library published a second important reference work in April 2006, the inaugural edition of the *Supreme Court History Program Yearbook*. The *Yearbook* documents legal appointments, retirements, obituaries and admissions of the past year; reviews the significant cases and legislation; and includes scholarly articles on legal and historical topics.

The Library is currently preparing to publish a Festschrift in honour of Justice BH McPherson CBE, to commemorate his retirement after 24 years of distinguished judicial service. The volume will feature scholarly essays by pre-eminent members of the legal profession on the wide range of subjects in which Justice McPherson has achieved distinction.

The success of this program of scholarly publication has been demonstrated by the increasing numbers of external organisations commissioning the Library to provide research, publication and exhibition services. In 2005-06 accepted such projects from the Youth Advocacy Centre, to celebrate their 25th anniversary, and the Incorporated Council of Law Reporting (ICLR), to celebrate their forthcoming 150th anniversary. In particular, the 2007 ICLR celebrations will include the launch of a history of the ICLR and Library, commemorating the unique partnership between these two bodies which has ensured that Queensland has one of the leading Court library services in Australia.

Community outreach and exhibitions

This year approximately 7,880 students visited the court as part of the Schools Program, taking advantage of the variety of activities offered including: legal research seminars; tours of the Rare Books Precinct and historical displays; viewing cases; and "Talk to a Judge". The schools particularly appreciate the opportunity to speak with a judge, and judges of the District Court generously participated in this program, meeting with 9 school groups during the year.

The highlight of the exhibition schedule in 2005-06 was the photographic exhibition featuring an honour roll of the women admitted to practice in Queensland since 1905, curated to coincide with the launch of *A Woman's Place* in November 2005. In addition the following displays were mounted in the Rare Books Precinct:

- Commemorative display for the Right Hon Sir Harry Gibbs GCMG AC KBE;
- Display for *The Commission is a Different Place - the Origins of the Federal Arbitration System* to accompany lecture by Mr Glenn Martin SC;
- Display for the lecture by Sean Dorney to mark the permanent loan of the QUT Pacific Legal Collection to the Library;
- Display of Supreme Court History Program treasures;
- Exhibition on the history of the legal profession in Cairns to coincide with the unveiling of the legal heritage display cabinets and inaugural lecture by Emeritus Professor Geoffrey Bolton AO at the Cairns Courthouse.

Following *A Woman's Place*, the focus of the exhibitions program in 2005-06 was research and preparation for the Shakespeare and the Law project. *Shakespeare and the Law: obligation, vengeance and the abuse of power* will coincide with the VIIIth World Shakespeare Congress held in Brisbane 17-21 July and will encompass an exhibition, performances, lectures, competitions and a mock trial based on King Lear. As part of this ambitious undertaking the Library will exhibit, for the first time in Queensland, Shakespeare's *First Folio* (1623). The volume is the only copy held in Australia and is on loan from the State Library of New South Wales. The extensive program of activities has been sponsored by Konica and the Queensland Law Society.

Digitising historical legal resources

The Library has been pursuing a series of programs to digitise and compile Queensland legal history records, with the goal of making these widely available via online databases. Initiatives underway include the early Queensland cases project, which aims to summarise previously unreported early Queensland cases. In addition the Library is sponsoring a project by well-known Townsville historian Dr Dorothy Gibson-Wilde to compile an online register of legal practitioners and law firms in North Queensland between 1861 and 1961. This will make a significant contribution to the collection and preservation of historical material relating to North Queensland, and coincides with the extension of the Supreme Court History Program to North Queensland this year (see below).

As mentioned, a major project for the forthcoming year will be the digitisation of a historic collection of legal opinions which will be deposited by the firm Allens Arthur Robinson. Previously unavailable to scholars and the wider community, the materials provide a unique insight into the economic, legal, political and social history of Queensland. It is anticipated that in-house expertise developed in the course of this project, and the purchase of a large format preservation scanner, will effectively position the Library to undertake future digitisation projects of benefit the Queensland community. These include a project to digitise historical statutes for public access.

Supreme Court History Program

The Supreme Court History Program (SCHP), established in 2000, encompasses a series of projects which aim to collect, preserve and disseminate Queensland's legal heritage.

In 2005-06, the Library recorded interviews or received memoirs from eleven prominent legal personalities, bringing the total collection to 25 interviews and 10 memoirs. The collection was further enhanced with the acquisition of 40 oral history interviews records conducted by the National Library as part of their *Law in Australian Society* project. In the coming year the Librarian has been invited to present a paper at the XIVth International Oral History Conference, hosted by the International Oral History Association in Sydney on 12-16 July 2006. The paper is entitled *The Role of Oral History in Recording and Preserving Queensland's Legal Heritage*.

The extension of the SCHP to centres outside of Brisbane was a priority this year with the inaugural History Program (Cairns) oration delivered by Emeritus Professor Geoffrey Bolton AO in August 2005, together with the unveiling of dedicated legal heritage exhibition facilities at the Cairns Courthouse and the recording of an oral history interview. In addition the SCHP Convenor, Dr Michael White QC, and the Librarian travelled to Townsville on 16–17 June 2006 to present a paper entitled *The Supreme Court History Program, its Aims, Activities and Future Directions* at the North Queensland Law Association Conference 2006.

The SCHP evening lecture series was also active throughout 2005-06 with the following events:

- *Lord Atkin: his Queensland origins and legacy* – delivered by Professor Gerard Carney on 26 August 2005;
- *The Commission is a Different Place: the origins of the Federal Arbitration System* – delivered by Mr Glenn Martin SC, president of the Queensland Bar Association, on 16 September 2005;
- *The Birth of the Common Law* – delivered by Professor Baron RC van Caenegem on 22 September 2005; and
- *Trustees' statutory leasing powers and the execution of King Charles I with a short excursion on Stephenson's Rocket* – delivered by Professor W A Lee on 5 May 2006.

The highlight of the 2006-07 calendar will be the inaugural Bruce McPherson Oration on Legal history, sponsored by Thomson Legal and Regulatory, to be delivered by the Hon Mr Justice McPherson CBE in August 2006.

Legal Heritage Collections

The legal heritage collection, now numbering 37,590 items, continues to grow due to the generous donations from members of the judiciary, profession and wider community.

In 2005-06, the Library was honoured to receive a unique and invaluable donation from the family of the late Sir Harry Gibbs GCMG AC KBE. As part of a formal presentation on 31 March 2006, the family gave to the Library:

- The medals of honours associated with the Knight Grand Cross of St Michael and St George (GCMG), the Companion of the Order of Australia (AC) and Knight Commander in the Most Excellent Order of the British Empire (KBE);
- The mantle associated with the GCMG and other clothes including the early suit worn by High Court Justices and a morning suit worn beneath the GCMG mantle; and
- The original vellum scroll of Sir Harry's Coat of Arms to be housed at the Library on the basis of a permanent loan.

In the coming year the Gibbs family will also present to the Library the Gibbs heraldic banner, bearing the family crest, which has previously hung in St Paul's Cathedral in London. The collection will be displayed prominently in the Court and it is hoped that a dedicated Sir Harry Gibbs Room will provide a distinguished venue in the future.

Library Committee and Collection Management Sub-Committee

The Library's governing Committee comprises representatives from each stakeholder group including the Supreme Court, District Court (represented by the Chief Judge), Magistrates Court, barristers, solicitors and the Department of Justice, thereby ensuring that Library users are directly responsible for collection development, service initiatives and resource allocation. The depth and breadth of activities undertaken by the Library is a testament to this unique, independent administrative structure.

The Committee is assisted in the management of the collection by the Collection Management Sub-Committee. In May 2006, the Hon Mr Justice BH McPherson CBE tendered his resignation as Chair of the Sub-Committee in view of his forthcoming retirement from the Bench in September 2006. Justice McPherson has served the Sub-Committee for 29 years, having been a member since its inception in 1997 and Chair since 1981. As an accomplished legal scholar, Justice McPherson made an immeasurable contribution to the development of the Library's research quality collection and also to the general administration of the Library, most significantly through the drafting of the Library Rules which were gazetted on 9 May 1987. His leadership will be greatly missed.

The Hon Justice PA Keane, who previously served as a member of the Library Committee from 1989 until his appointment to the Bench in 2005, has been appointed as the new Chair of the Collection Management Sub-Committee. The Library is also indebted to the representatives of the District Court, His Honour Judge Wilson SC and His Honour Judge Robin QC, who have continued to provide invaluable assistance as members of the Collection Sub-Committee.

Conclusion

The successes of 2005-06 would not have been possible without secure funding and the generous support of the Library's key stakeholders: the Supreme and District Courts; the legal profession; and the Department of Justice. In addition, key partnerships with the Bar Association of Queensland, Queensland Law Society, Incorporated Council of Law Reporting, University of Queensland, Queensland University of Technology, Konica and Allens Arthur Robinson have been integral to the success of community outreach, research and publishing and legal preservation programs. Fostering collaborative relationships is a key component of the Library's strategic plan which envisions the expansion and enhancement of existing information services, and exploitation of a range of in-house skills developed in recent years to deliver new programs to the Court. In this way, the Library will continue to serve as the centre for the dissemination of legal information in Queensland.

State Reporting Bureau

The State Reporting Bureau provides recording and transcription services for the Supreme, District and Magistrates Courts, Director of Public Prosecutions (police records of interview), Industrial Court and Industrial Relations Commission. The Bureau also provides reporting services for the Medical Assessment Tribunal, Mental Health Court, Industrial Court and Land Appeal Court

Services are provided in Brisbane and at 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). The Bureau's provision of an accurate and timely recording and transcript of proceedings is critical to the courts' capacity to work efficiently in the administration of justice. Any reduction in the services provided by the Bureau will reduce the Court's capacity to do so.

The Bureau is in the process of implementing a state-of-the-art digital recording and transcription system for all Queensland courts and tribunals. During 2005/2006 digital recording systems were installed into the Brisbane Magistrates Courts (BMC), Brisbane Arrests Courts (BAC) and The Brisbane Law Courts Complex (BLCC). The Magistrates and Arrests Courts are Audio only systems, and the BLCC has in addition to audio, Remote Video Monitoring facilities integrated within the digital system for each court. Digital transcription of proceedings and the rollout to regional and circuit courts will occur during 2006/07. The court looks forward to taking advantage of this technology to further enhance the efficiency and effectiveness of the functioning of the court.

Appendix 1: Court Statistics – Comprehensive Table of Statistics

CRIMINAL JURISDICTION

	2003-2004	2004-2005	2005-2006
ANNUAL CASE LOAD			
Brisbane			
At start of year	836	855	874
Presented during year	2,777	2,592	2,988
Disposed of during year	2,768	2,586	2,971
Undisposed	855	874*	887
Townsville			
At start of year	145	153	124
Presented during year	410	430	418
Disposed of during year	404	432	366
Undisposed	153	124*	186
Cairns			
At start of year	88	119	126
Presented during year	420	539	589
Disposed of during year	394	477	521
Undisposed	119	126	197
Rockhampton			
At start of year	175	144	204
Presented during year	276	343	376
Disposed of during year	304	293	451
Undisposed	144	204*	135
Southport			
At start of year	147	183	194
Presented during year	672	629	676
Disposed of during year	618	609	662
Undisposed	183	194	200
Ipswich			
At start of year	91	155	180
Presented during year	628	498	541
Disposed of during year	493	565	584
Undisposed	155	180	138
Maroochydore			
At start of year	18	33	87
Presented during year	527	418	416
Disposed of during year	501	423	420
Undisposed	33	87	73

	2003-2004	2004-2005	2005-2006
Beenleigh			
At start of year	216	183	187
Presented during year	571	565	486
Disposed of during year	607	532	486
Undisposed	183	187	189
Toowoomba			
At start of year	14	33	32
Presented during year	203	189	259
Disposed of during year	187	209	255
Undisposed	33	32	35
Mackay			
At start of year	26	59	67
Presented during year	209	212	140
Disposed of during year	176	201	177
Undisposed	59	67	34
Maryborough (includes Hervey Bay)			
At start of year	64	16	24
Presented during year	304	236	169
Disposed of during year	324	251	194
Undisposed	16	24	19
Bundaberg			
At start of year	5	12	23
Presented during year	95	121	147
Disposed of during year	90	116	137
Undisposed	12	23	34

* Adjustment made due to finalisation of data

The figures in this table are active cases only. When a bench warrant is issued the case is treated as inactive. When the warrant has been executed the case is restored to the active category and included in the figures as a case for disposition which may lead to apparent anomalies in the figures.

AGE OF CRIMINAL CASES DISPOSED OF IN 2005-2006	<3	3-6	Total <6	6-9	9-12	>12	Total
	months	months	months	months	months	months	
	%	%	%	%	%	%	%
Brisbane	43.2	17.5	60.7	8.5	7.3	23.6	100
Townsville	40.9	14.3	55.2	6.2	8.1	30.5	100
Cairns	52.9	22.7	75.5	8.6	4.8	11.1	100
Rockhampton	19.0	12.3	31.3	5.2	17.9	45.6	100
Southport	45.0	20.6	65.6	11.4	6.2	16.8	100
Ipswich	57.3	20.8	78.0	7.9	5.5	8.6	100
Maroochydore	56.9	12.9	69.8	8.1	4.8	17.4	100
Beenleigh	39.1	17.2	56.3	11.2	9.5	23.0	100
Toowoomba	71.5	7.5	79.1	6.3	4.0	10.7	100
Mackay	45.8	21.5	67.2	12.4	9.6	10.7	100
Maryborough	55.4	7.6	63.0	4.4	3.3	29.4	100
Bundaberg	76.6	4.4	81.0	2.9	3.7	12.4	100

CIVIL JURISDICTION

	2003-2004	2004-2005	2005-2006
DOCUMENT FILINGS RECORDED BY CIMS	39,632	38,232	38,321
ORIGINATING PROCEEDINGS			
Claims	2,444	2,400	2,157
Originating applications	1,474	1,473	1,364
Total	3,918	3,873	3,521
CIVIL CASES ENTERED FOR TRIAL ANNUAL CASE LOAD			
Brisbane			
At start of year	72	71	100
Entered for trial during year	267	250	256
Disposed of during year	268	221	289
Undisposed	71	100	67
Townsville			
At start of year	8	6	6
Entered for trial during year	17	12	18
Disposed of during year	19	12	20
Undisposed at end of year	6	6	4
Cairns			
At start of year	8	5	11
Entered for trial during year	19	17	17
Disposed of during year	22	11	18
Undisposed at end of year	5	11	10
Rockhampton			
At start of year	2	5	1
Entered for trial during year	11	5	13
Disposed of during year	8	9	12
Undisposed at end of year	5	1	2
Southport			
At start of year	23	20	32
Entered for trial during year	55	76*	41
Disposed of during year	58	64	61
Undisposed at end of year	20	32	12
Ipswich			
At start of year	2	2	1
Entered for trial during year	3	6	2
Disposed of during year	3	7	2
Undisposed at end of year	2	1	1
Maroochydore			
At start of year	22	14	11
Entered for trial during year	47	41	30
Disposed of during year	55	44	26
Undisposed at end of year	14	11	15
Toowoomba			
At start of year	4	5	4
Entered for trial during year	8	7	6
Disposed of during year	7	8	7
Undisposed at end of year	5	4	3

	2003-2004	2004-2005	2005-2006
Beenleigh			
At start of year	4	3	4
Entered for trial during year	8	9	4
Disposed of during year	9	8	4
Undisposed at end of year	3	4	4
Mackay			
At start of year	6	9	3
Entered for trial during year	9	5	9
Disposed of during year	6	11	11
Undisposed at end of year	9	3	1
Maryborough			
At start of year	12	10	3
Entered for trial during year	17	2	14
Disposed of during year	19	9	6
Undisposed at end of year	10	3	11
Bundaberg			
At start of year	1	1	4
Entered for trial during year	5	5	5
Disposed of during year	5	2	7
Undisposed at end of year	1	4	2

* Adjustment made due to finalisation of data

PROPORTION OF CASES DISPOSED OF WITHIN 12 MONTHS OF ENTRY FOR TRIAL	2003-2004	2004-2005	2005-2006
Brisbane	100.0%	100.0%	100.0%
Townsville	100.0%	92.3%	85.0%
Cairns	100.0%	100.0%	83.4%
Rockhampton	87.5%	100.0%	100.0%
Southport	100.0%	98.5%	96.9%
Ipswich	100.0%	91.7%	100.0%
Maroochydore	92.6%	97.4%	100.0%
Toowoomba	100.0%	100.0%	85.8%
Beenleigh	92.6%	98.3%	100.0%
Mackay	100.0%	50.0%	100.0%
Maryborough	100.0%	71.4%	85.8%
Bundaberg	60.0%	100.0%	85.8%

PERCENTAGE DISPOSITION OF CASES FROM ENTRY FOR TRIAL	<3	3-6	6-9	9-12	>12	Total
	months	months	months	months	months	
	%	%	%	%	%	%
Brisbane	40.6	53.1	6.3	0.0	0.0	100
Townsville	35.0	15.0	35.0	0.0	15.0	100
Cairns	27.8	55.6	0.0	0.0	16.6	100
Rockhampton	100.0	0.0	0.0	0.0	0.0	100
Southport	24.6	32.3	18.5	21.5	3.1	100
Ipswich	100.0	0.0	0.0	0.0	0.0	100
Maroochydore	32.0	60.0	4.0	4.0	0.0	100
Toowoomba	28.6	14.3	28.6	14.3	14.2	100
Beenleigh	50.0	50.0	0.0	0.0	0.0	100
Mackay	70.0	30.0	0.0	0.0	0.0	100
Maryborough	28.6	42.9	14.3	0.0	14.2	100
Bundaberg	0.0	28.6	14.3	42.9	14.2	100

APPEALS

	2003-2004	2004-2005	2005-2006
APPEALS HEARD			
Brisbane	97	112	162
Townsville	8	7	19
Cairns	22	58	47
Rockhampton	4	10	4
Southport	24	34	13
Ipswich	15	41	33
Maroochydore	24	22	24
Toowoomba	12	8	16
Beenleigh	5	6	7
Mackay	2	3	17
Maryborough (includes Hervey Bay)	8	0	5
Bundaberg	0	6	13
Total	221	307	360

APPLICATIONS

	2003-2004	2004-2005	2005-2006
ANNUAL CASE LOAD			
Brisbane	1,997	1,786	1,531
Townsville	253	271	185
Cairns	314	387	454
Rockhampton	115	136	147
Southport	303	205	248
Ipswich	78	54	74
Maroochydore	319	381	171
Toowoomba	63	54	31
Mackay	47	42	55
Maryborough (includes Hervey Bay)	60	100	58
Bundaberg	43	26	12
Gladstone	11	13	24
Gympie	13	17	6
Mt Isa	15	11	5
Dalby	0	3	2
Total	3,631	3,486	3,003

DECISIONS ON THE PAPERS

Applications filed	47	27	29
Orders made on papers	39	23	23
Oral hearings required	2	2	6

JUDGMENT BY DEFAULT – ENTERED BY REGISTRAR

Applications	492	452	593
Judgment entered	354	352	436

CONSENTS UNDER RULE 666 DEALT WITH BY THE REGISTRAR

Number of applications considered	595	850	964
Orders made	494	390	359
Refused	101	460	605

PLANNING AND ENVIRONMENT JURISDICTION ^ ^

ANNUAL CASE LOAD	2003-2004	2004-2005	2005-2006	
Brisbane			New measures introduced	
At start of year	189	220	Active files at start of year	606
New Cases – Directions	338	387	New files – Appeals	414
New Cases – Consent Orders	149	182	New files – Originating applications	78
New Cases – Total	487	569	New files – Total	492
Disposed – Judgments	58	62	Disposed – Judgments	105
Disposed – Withdrawals	143	106	Disposed – Withdrawals	166
Disposed – Consent Orders	271	267	Disposed – Consent Orders	314
Disposed – Total	456	435	Disposed – Total	585
Undisposed	220	354	Undisposed at end of year	513

^^ A new format has been adopted for the reporting of the statistics on Planning and Environment jurisdiction in Brisbane. In previous years, in matters which a directions hearing was held before a judge, or had been listed for a consent order were counted as a "new case". Under the new format, every new matter commenced by the filing of an initiating document such as a notice of appeal is counted as a "new case". This format was first used on a trial basis in Brisbane for 2005-06. The figures for the other centres however, were produced under the same format as in previous years. The figures for 2005-06 for Brisbane are not able to be compared to previous years' figures.

ANNUAL CASE LOAD	2003-2004	2004-2005	2005-2006	
Townsville				
At start of year	22	30	24	
New Cases – Directions	14	7	17	
New Cases – Consent Orders	0	10	2	
New Cases – Total	14	17	19	
Disposed – Judgments	3	5	4	
Disposed – Withdrawals	1	7	2	
Disposed – Consent Orders	2	11	10	
Disposed – Total	6	23	16	
Undisposed	30	24	27	
Cairns				
At start of year	5	7	15	
New Cases – Directions	11	36	29	
New Cases – Consent Orders	8	0	0	
New Cases – Total	19	36	29	
Disposed – Judgments	3	13	3	
Disposed – Withdrawals	12	5	5	
Disposed – Consent Orders	2	14	12	
Disposed – Total	17	32	20	
Undisposed	7	15*	24	
Rockhampton				
At start of year	7	1	1	
New Cases – Directions	2	4	0	
New Cases – Consent Orders	0	0	0	
New Cases – Total	2	4	0	
Disposed – Judgments	4	2	0	
Disposed – Withdrawals	3	0	0	
Disposed – Consent Orders	1	2	1	
Disposed – Total	8	4	1	
Undisposed	1	1	0	

	2003-2004	2004-2005	2005-2006
Southport			
At start of year	24	3	7
New Cases – Directions	37	31	42
New Cases – Consent Orders	0	2	0
New Cases – Total	37	33	42
Disposed – Judgments	7	7	8
Disposed – Withdrawals	8	3	10
Disposed – Consent Orders	43	15	14
Disposed – Total	58	25	32
Undisposed	3	7*	17
Maroochydore			
At start of year	24	22	33
New Cases – Directions	39	45	49
New Cases – Consent Orders	3	18	4
New Cases – Total	42	63	53
Disposed – Judgments	22	13	17
Disposed – Withdrawals	10	4	9
Disposed – Consent Orders	12	35	21
Disposed – Total	44	52	47
Undisposed	22	33	5

* The "Undisposed" figure 2004-05 has been adjusted

PERCENTAGE DISPOSITION OF CASES FROM ENTRY FOR TRIAL - MAJOR CENTRES 2005-2006	<3	3-6	6-9	9-12	>12	Total
	months	months	months	months	months	
	%	%	%	%	%	%
Brisbane	48.0	20.0	15.0	7.0	10.0	100
Townsville	68.8	12.5	18.7	0.0	0.0	100
Cairns	40.0	45.0	10.0	5.0	0.0	100
Rockhampton	0.0	0.0	0.0	100.0	0.0	100
Southport	28.0	50.0	13.0	6.0	3.0	100
Maroochydore	55.0	15.0	2.0	4.0	24.0	100

COST ASSESSMENT - REGISTRAR

	2003-2004	2004-2005	2005-2006
APPLICATIONS FOR RE-CONSIDERATION			
Reserved as at 1 July	0	0	2
Number of applications	3	4	0
Disposed of <3 months	0	2	0
Disposed of >3 months	3	0	2
Otherwise disposed of (e.g., settled or withdrawn)	0	0	0
Outstanding as at 30 June	0	2	0

ASSESSMENT DIRECTIONS HEARINGS			
Settled	33	42	29
Adjourned	46	44	25
Default Allowance	40	51	33
Assessment date given	94	82	61
Total	213	219	148

RESULT OF CASES SET DOWN FOR ASSESSMENT			
Adjourned	7	15	8
Settled	54	48	41
Assessed	23	37	23
Total	84	100	72

HEALTH PRACTITIONERS TRIBUNAL

	Appeals	Referrals	Reviews
CASE LOAD/NEW CASES			
Medical Practitioners/Medical Board	2	13	0
Psychologists Board	2	3	1
Physiotherapists Board	0	0	0
Pharmacists Board	0	4	0
Chiropractors Board	0	1	0
Dental Board	0	0	0
Total	4	21	1

	2003-2004	2004-2005	2005-2006
REFERRALS IN THE HEALTH PRACTITIONERS TRIBUNAL			
Matters Awaiting Hearing	2	3	12
Matters Set Down But Not Heard	8	6	6
Total Matters Heard	17	19	8
Discontinued Matters	0	0	1

	2003-2004	2004-2005	2005-2006
APPEAL MATTERS IN THE HEALTH PRACTITIONERS TRIBUNAL			
Matters Awaiting Hearing	0	1	2
Matters Set Down But Not Heard	1	1	1
Total Matters Heard	3	5	2
Discontinued Matters	0	0	0

Appendix 2: Practice Directions

The following Practice Direction was issued by the Chief Judge during the year and is available on the Court's website www.courts.qld.gov.au

Number	Description	Date Issued
2006/1	Planning and Environment Court	10 February 2006

Appendix 3: District Court Associates – as at 30 June 2006

Olivia Williamson, Associate to Her Honour Chief Judge PM Wolfe
Andrew McMaster, Associate to His Honour Senior Judge NA Skoien
Justin O'May, Associate to His Honour Senior Judge G Trafford-Walker
Ed Green, Associate to His Honour Judge W Howell
Scott Neaves, Associate to His Honour Judge I McG Wylie QC
Licia Millar, Associate to His Honour Judge KS Dodds (Maroochydore)
Alison Lyons, Associate to His Honour Judge GS Forno QC
Naomi Dalmau, Associate to His Honour Judge HWH Botting
Peter Winkle, Associate to His Honour Judge MJ Noud
John Williams, Associate to His Honour Judge KJ O'Brien
Susan Downes, Associate to His Honour Judge NF McLauchlan QC
James Dillon, Associate to His Honour Judge PD Robin QC
Lily Brisick, Associate to His Honour Judge BC Hoath
Mark Magner, Associate to His Honour Judge JE Newton (Southport)
Susanne McCormack, Associate to Her Honour Judge H O'Sullivan
Brendan Manttan, Associate to His Honour Judge PJ White (Cairns)
Emily Mackay, Associate to His Honour Judge PG Nase
Kathrine Fordham-King, Associate to His Honour Judge JM Robertson (Maroochydore)
Tamerlan Von Alphen, Associate to His Honour Judge MW Forde
Robert Gordon, Associate to His Honour Judge CJL Brabazon QC
Scott Malcolmson, Associate to His Honour Judge DJ McGill SC
Michelle Gilbert, Associate to His Honour Judge CF Wall QC (Townsville)
Michael O'Dea, Associate to His Honour Judge RD Pack (Townsville)
Mark Biddulph, Associate to His Honour Judge N Samios
Gordon Roberts, Associate to His Honour Judge GT Britton SC (Rockhampton)
David Funch, Associate to Her Honour Judge D Richards (Ipswich)
Skye Growden, Associate to Her Honour Judge S Bradley (Cairns)
James Sullivan, Associate to His Honour Judge MJ Shanahan
Ruth Link, Associate to Her Honour Judge JM Dick SC
Darren Davies, Associate to His Honour Judge AM Wilson SC
Joanne Lock, Associate to His Honour Judge ME Rackemann (Southport)
Thomas Hiew, Associate to His Honour Judge WH Tutt (Beenleigh)
James Lyons, Associate to His Honour Judge MJ Griffin SC
Michael Bonasia, Associate to Her Honour Judge JA Ryrie
Amanda Lister, Associate to His Honour Judge IFM Dearden