

PRACTICE DIRECTION NUMBER 6 OF 2006

MAGISTRATES COURT OF QUEENSLAND

RECORDING DEVICES IN COURTROOMS: MAGISTRATES COURT

1. Except with permission of the presiding Magistrate or justices constituting a Magistrates Court (and save, obviously, for recording by officers of the State Reporting Bureau under the *Recording of Evidence Act 1962*), any device capable of capturing or transmitting the proceedings of the court, aurally and/or visually, is not to be used for that purpose in a court room where proceedings are being conducted.
2. If the presiding magistrate or justices grant permission for an electronic device, such as a laptop computer, personal digital assistant, or similar device, to be used during proceedings the device must be muted, so that calls, alerts or alarms do not interrupt the proceedings. Should such a device interrupt proceedings, a person designated by the presiding magistrate or justices (the designated person) is hereby authorized to take possession of the device, should the presiding magistrate or justices require that.
3. Mobile phones, pagers or devices that communicate via a cellular network must be switched off throughout court proceedings.
4. In the event of breach, the designated person is hereby authorized to take possession of the device and delete any recording, should the magistrate or justices require that.
5. This Practice Direction repeals Practice Direction 4 of 2004 and is effective immediately.



Marshall Irwin
Chief Magistrate
9 August 2006

Note

The reason for the issue of this Practice Direction is as follows. When devices which use a cellular network, such as a mobile phone or a Blackberry, communicate via that network, there is substantial resultant interference with the recording of proceedings by the State Reporting Bureau. Often, devices will "poll" the cellular network in passive mode and cause interference even when not being actively used.