

Sexual Violence Case Management Pilot

Defence Counsel Time and Cost Tracking Questionnaire

On 2 September 2024, the Chief Judge issued Practice Direction (PD) 3 of 2024 introducing a changed approach to the way sexual violence offence proceedings are managed in the District Court of Queensland.

This questionnaire seeks to assess the impact of the practice changes brought by PD 3 of 2024 on the time and costs incurred to Defence Counsel including barristers and solicitors.

The questionnaire assumes that participants have experience providing representation to defendants with criminal charges relating to sexual violence offences in Queensland.

1. Please indicate your role in sexual violence offence proceedings

- ☐ Barrister ☐ Solicitor

2. Please indicate the fee structure of work undertaken over the past year by ticking all boxes that apply and the approximate proportion of time spent in each:

- ☐ Legal Aid work _____ %
☐ Private work charged by fixed fee _____ %
☐ Private work charged by hourly or day rate _____ %
☐ Other _____ %

3. Please indicate the approximate number of sexual violence offence matters that you have represented or been involved in in the Queensland District Court (any location).

- ☐ 0 to 10 matters ☐ 11 to 50 matters ☐ 51 to 100 matters ☐ 101 or more matters

4. When are you typically briefed in a sexual offence matter? Please indicate the estimated proportion of briefings you receive pre-committal versus post-committal.

Pre-committal - _____ % Post-committal - _____ %

5. With reference to time spent on sexual violence offence briefs not on the SV list (e.g., presented before 2 September 2024), approximately how long did you spend for each matter:

- ☐ Reading materials _____ (hours)
☐ Conferencing with the Prosecution _____ (hours)
☐ Attending Court _____ (number of appearances including mentions/hearings/reviews)
☐ Preparing for Trial _____ (hours)
☐ Providing advice to client _____ (hours)

6. How many sexual violence offence briefs have you taken on since the commencement of PD 3 of 2024?

7. Has the amount of time you spend in any of the activities detailed **increased** since the commencement of PD 3 of 2024? If so, please indicate how many hours for each matter you now spend:

- ☐ Reading materials _____ (hours)
☐ Conferencing with the Prosecution _____ (hours)
☐ Attending Court _____ (number of appearances including mentions/hearings/reviews)
☐ Preparing for Trial _____ (hours)
☐ Providing advice to client _____ (hours)
☐ N/A

8. Please indicate what information you have relied on to inform your consideration of increased hours, select all that apply:

- ☐ Cost to clients has on average increased
☐ Billable hours have increased
☐ More time is spent in court
☐ A general sense of more time spent on relevant matters
☐ Other: _____

Please describe the impact on your time:

9. Have you adjusted your billing practice to accommodate the PD 3 of 2024? If so, please describe the changes you have made:

10. Overall, the impact of PD 3 of 2024 means that sexual violence offence matters appear to be taking:

- ☐ longer to resolve ☐ less time to resolve ☐ the same time to resolve