



District Court of Queensland

Annual report 2013- 2014

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17 October 2014

The Honourable Jarrod Bleijie MP
Attorney-General and Minister for Justice
Level 18
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Dear Attorney

Pursuant to s.130A (1) of the *District Court of Queensland Act 1967*, I enclose my report on the operation of the District Court of Queensland for the year ended 30 June 2014.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'P.M. Wolfe', followed by a period.

Chief Judge PM Wolfe AO

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Chief Judge's overview

Introduction

This is the court's 18th annual report, dealing with the organization, operation and performance of the District Court of Queensland in 2013-14. Its workload is significant as this court is one of the largest, and busiest, of the higher courts in Australia.

The trend towards lengthy and complex civil and criminal trials continues. The increasing use of the eTrials system, especially for commercial and planning and environment matters, as well as for trials of complex fraud and taxation offences, clearly shortens the length of these trials and hearings.

The criminal workload has become manageable through careful case management in Brisbane and in the regional centres as well as in the larger circuit centres, and with regular reviews and case management the Office of the Director of Public Prosecutions, Legal Aid Queensland and the profession are well aware, as matters pass through the court, of the likely course the matter will take.

This is more difficult for the court in the rural and remote centres. The judges hold callovers and reviews by telephone well before the circuit starts. However it is rare that a prosecutor and defence counsel visit the circuit centre to confer with litigants or witnesses well before the circuit is to start. Consequently, despite the judge's efforts, a plea on the morning of the trial is more likely in those places.

There have been two judges resident in Southport. The disposition of the Southport lists was pleasing this year. The Judge Administrator having case managed those criminal lists and the deployment of Brisbane judges there when needed, thus demonstrating that there is no call at present for a third resident judge at Southport.

Cairns encounters problems rarely experienced in south-east Queensland. The court at Cairns covers a sparsely populated area approaching the size of Victoria. Listing used to be a lottery. Distance is an obstacle to litigants' and witnesses' availability for trials, hearings and conferences with counsel. Nonetheless, the Cairns criminal listing judge, through case management and regular reviews, has reduced last year's backlog of cases older than 12 months down to 11.3 per cent this year.

Judicial case management of the criminal lists ensures that most of the matters which finally result in a guilty plea or nolle prosequi are weeded out much earlier than was the practice a decade or so ago. Statistics clearly demonstrate that in the larger centres the trials which resolve on the first day by reason of a 'late' guilty plea or nolle prosequi, are much fewer. For example in Brisbane, only 13 of the 161 trials which started during the year, finished on the first day, and in many cases for reasons other than a 'late' plea or nolle.

Similarly, judicial case management of the civil and commercial lists has controlled those lists, despite the increasing complexity of civil matters. The number of active pending civil matters this financial year increased by 225 (4.8 per cent) to 4935.

Depending upon the lists, each year the judges might sit at up to 38 centres throughout Queensland — that is in Brisbane, the seven regional centres, 24 other centres where jury trials can be held, and some of the 15 remote or Aboriginal and Torres Strait Islander communities, including those in the Gulf, Cape and Torres Strait.

Judges of the District Court also constitute the Planning and Environment Court and the Childrens Court, and the court's resources are deployed to a considerable extent in discharging their functions.

Judge Shanahan, the President of the Childrens Court of Queensland, and Judge Rackemann who does most of the listing of Planning and Environment Court matters in Brisbane, have prepared their respective reports on the operations for these entities during the year under review.

Performance

The court's performance and workload during the 2013-14 year are reflected in the statistics set out in this report. The court's statistical information accords with the method of reporting adopted by the Commonwealth Productivity Commission's *Annual Report on Government Services*.

The dedication of the court's 38 judges has resulted in the efficient and timely disposal of the lists. In Brisbane this was undoubtedly assisted by the new courthouse. The layout of the courtrooms and the circulatory systems in place for prisoners, litigants, the profession, the public, child and other vulnerable witnesses, juries and the judges, as well as the advances in technology available for trials and hearings, have all contributed.

The 11.2 percent increase in the number of new matters lodged in the criminal jurisdiction made difficult the due administration of the criminal lists, especially as available judicial resources were strained. Many trials were long and expensive and absorbed a significant proportion of the judicial resources available for criminal trials.

Also, by reason of the *Criminal Law (Two Strike Child Sex Offenders) Amendment Act 2012*, it is highly likely that the number of trials in this court will increase over the next two next years. The Act provides for a mandatory sentence of life imprisonment with a non-parole period of 20 years for those to whom the Act relates. Consequently few, if any, might be expected to plead guilty to these indictments. There is every indication that, despite its efficient, modern practices, the court will not have sufficient resources to deal with such an increase when that occurs.

The change in jurisdictional monetary limits had an impact on civil clearance rates. At the end of the last financial year the civil clearance rate was 107.4 per cent and by the end of this financial year the civil clearance rate had fallen to 95.7 per cent. In Brisbane the clearance rate fell to 91 per cent from 106.6 per cent last year.

The number of new civil matters lodged in the court remained steady (5543 last year; 5540 this year).

The court's adjuncts, the Childrens Court of Queensland and the Planning and Environment Court, also employ judicial case management.

Disposition of Caseload

In light of the factors referred to above, the court's performance and workload in 2013-4 has been most creditable. As the number of new matters has fallen in the rural and regional centres, there were sufficient judicial resources to service those centres, as well as some of the bigger centres, such as Southport.

Criminal

In the criminal jurisdiction, the workload is measured by the number of defendants. These statistics do not include Childrens Court matters, affected child witness hearings or pre-trial hearings.

The court has responsibility for indictable criminal offences, the trials of which are usually heard by a judge and jury, but on occasions by a judge alone. It deals with most of the serious criminal cases.

The percentage of defendants with cases greater than 24 months old has decreased, from 5.4 per cent last year to 4.4 per cent in 2013-14. The clearance rate at state level, by the end of the year under report was 96.8 per cent, down from 105.9 per cent last year. The number of active pending matters increased from 1490 last year to 1698 this year.

There was a slight increase in finalizations from 4981 last year to 5062 in the year under report.

About 88 per cent of all trials on indictment were held in this court. The court deals with many complex and lengthy fraud trials, with the longer or more complex having been conducted as eTrials.

During the year under review 439 matters were disposed of by trial and verdict (458 last year), 3,625 by sentence on guilty plea (3,445 last year) and 777 by nolle prosequi (851 last year).

This year 5,232 new cases were presented to the court (4,703 last year). The court ended the year having disposed of 5,062 matters (4,981 last year) giving a 96.8 per cent clearance rate (105.9 per cent last year). Of the outstanding cases, 12.5 per cent were more than 12 months old from the date of presentation of the indictment (17.4 last year), and 4.4 per cent were more than 24 months old (5.4 per cent last year).

In Brisbane, 1,642 new cases were presented during the year and the court ended the year with 505 outstanding criminal cases (458 last year), having disposed of 1,623 matters (1,747 last year). The clearance rate in Brisbane dropped to 98.8 per cent this year from 107.8 per cent last year. Of the outstanding cases, 14.1 per cent were more than 12 months old from the date of presentation of indictment (15.5 per cent last year), and 6.7 per cent were more than 24 months old (6.3 per cent last year).

In the major centres where judges are based – Brisbane, Beenleigh, Cairns, Ipswich, Maroochydore, Rockhampton, Southport and Townsville – a total of 4,518 new cases were presented during the year and the major centres ended the year having disposed of 4,238 cases, with 1,457 outstanding, compared with last year (4,037 new cases, 4,163 disposed of, and 1,293 outstanding cases).

At the circuit centres, a total of 714 new cases were presented during the year (666 last year) and the circuit centres ended the year with the court having disposed of 824 criminal matters in those places, (818 last year), with 241 matters outstanding at the end of the year (197 last year).

Affected child witnesses

Matters involving child witnesses, and most matters involving offences of a sexual nature involve child witnesses, are complex and time consuming.

Many children are required to give evidence in matters involving charges of sexual or violence offences. During 2013-14 the judges ordered 226 pre-recordings (last year 222) involving 373 children (last year 377) for the District Court or the Childrens Court. Not all the pre-recordings ordered take place as, not infrequently, defendants plead guilty soon after the order is made. During 2013-14, the evidence of 249 children (last year 164) was pre-recorded before a judge for future trials in the District Court or the Childrens Court. However not all matters then go on to trial as some defendants plead guilty after the pre-recording takes place or the Crown enters a nolle prosequi.

The evidence of an affected child witness must be pre-recorded from a remote witness room soon after the indictment is presented, and care taken to ensure that all pre-trial hearings are completed before that occurs. In Brisbane the pre-recording usually took place within 6-10 weeks of the presentation of the indictment. The child's evidence is later played to the jury at the trial which usually takes place some months after the pre-recording. To preserve their integrity and security, all DVDs or videotapes, no matter where recorded in Queensland, are kept by the Principal Registry in Brisbane.

The court's technological and IT administrators responded promptly in replacing or mending defective equipment. Unfortunately such dedication and expertise is not mirrored in many of the tapes of a child's earlier police interview, which are prepared outside the court, but are played to juries pursuant to s 93A of the *Evidence Act 1977*.

Civil

The statistics based on numbers of civil filings in various centres do not reveal the growth in complexity of the court's civil workload.

During 2013-14 there were 5,540 new civil cases lodged in the court (5,543 last year), with 5,304 matters finalised (5,951 last year). The number of active pending matters also increased in 2013-14 with 4935 pending active matters (4,710 last year). The civil clearance rate was 95.7 per cent compared with 107.4 per cent last year. The percentage of active cases older than 12 months was 19.6 per cent this year (19.9 per cent last year) and the percentage of active cases older than 24 months was 4.1 per cent (3.9 per cent last year).

In Brisbane there were 4,267 new cases, an increase of 4.5 per cent on 2012-13 (4,082 last year), but a decrease from 3,885 in the number of cases disposed of (4,351 last year), achieving a clearance rate of 91.0 per cent (106.6 per cent last year). In Brisbane, 18.3 per cent of active cases were older than 12 months with 3.7 per cent of active cases older than 24 months. Most of the more complex matters were lodged in Brisbane.

These statistics do not include the other, non-RoGS matters such as applications which are heard by the judges, nor appeals to the District Court or the matters dealt with by the judges sitting in the Planning and Environment Court.

District Court Commercial List

A Commercial List was established in October 2010 pursuant to Practice Direction no 3 of 2010 in view of the court's monetary jurisdiction increasing to \$750,000 from 1 November 2010. During the year the Commercial List judges were Judge Robin QC, Judge McGill SC, Judge Andrews SC and Judge Dorney QC.

Appeals

During the year under review the court disposed of 373 criminal appeals from the Magistrates Courts (1,101 last year) and 57 civil appeals from the Magistrates Court (63 last year).

Criminal appeals

During the year, 427 criminal appeals were lodged in the court, (405 last year) and 373 cases were finalised, ending the year with 208 active cases and a 87.4 per cent clearance rate. The percentage of

active cases older than 12 months increased from 8.7 per cent in 2012-13 to 9.6 per cent in 2013-14, with the percentage of those older than 24 months decreasing from 3.7 per cent last year to 1.0 per cent in 2013-14.

In Brisbane during the year under review the number of criminal appeals lodged remained steady with 158 new appeals this year (157 last year), disposing of 130 criminal appeals (179 in 2012-13), and ending the year with 90 active cases and a clearance rate of 82.3 per cent (114.0 per cent last year). The percentage of active cases older than 12 months was 15.6 per cent (9.9 per cent last year) with 2.2 per cent older than 24 months.

Civil appeals

During the year, 68 civil appeals were lodged in the court (53 last year), and 57 cases finalised (63 last year) giving a clearance rate of 83.8 per cent and ending the year with 48 active cases. The percentage of active cases older than 12 months has decreased from 24.0 per cent in 2012-13 to 14.6 per cent in 2013-14, and those older than 24 months, from 10.5 per cent last year to 6.3 per cent in 2013-14. In Brisbane the court disposed of 29 civil appeals and ended the year with 32 active cases, resulting in a clearance rate of 78.4 per cent (87.1 per cent in 2012-13), with 18.8 per cent older than 12 months and 9.4 per cent older than 24 months.

Planning and Environment Court

The Planning and Environment Court is structured as a de facto division of the District Court.

This court is the only Queensland court whose files are open to inspection for any litigant, lawyer or member of the public through eFiles, a new online service which makes court documents available to everyone 24 hours a day, seven days a week. All active Planning and Environment Court files originating in Brisbane, Southport, Maroochydore, Townsville or Cairns are accessible through the Queensland Courts website [eCourts](http://www.courts.qld.gov.au/information-for-lawyers/search-civil-files-ecourts) facility:

<http://www.courts.qld.gov.au/information-for-lawyers/search-civil-files-ecourts>.

This court has maintained the high international recognition which it has received for its achievements - the efficiency of its unique structure as an adjunct of the District Court, and as a world leader in individual case management; its alternative dispute resolution process; its efficient management of expert evidence; its regional service and the commitment of its judges to ongoing review and reform.

Overall, there was a slight decrease in the number of lodgments this year. State-wide 434 new cases were filed this year down from 448 last year.

The court achieved a clearance rate of 128.6 per cent ending the year with 310 outstanding cases and having disposed of 558 matters. Of the outstanding cases, 35.8 per cent were more than 12 months old (from date of filing), and 17.4 per cent were more than 24 months old. Some cases may take this long due to the complexity of some matters and the number of parties involved in the hearings.

In Brisbane, where the longer cases are heard, the court ended the year with 234 outstanding cases having disposed of 474 matters, achieving a clearance rate of 135.4 per cent. Of the outstanding cases, 34.6 per cent were more than 12 months old and 16.2 per cent were more than 24 months old.

The court offers litigants a no-cost ADR service. This has been internationally recognised as providing visionary ADR access to justice. Approximately 95 per cent of cases are finalised without proceeding to a full hearing.

Childrens Court of Queensland

The Childrens Court of Queensland is a specialist jurisdiction established under the *Childrens Court Act 1992*. 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.

Judge Shanahan has been the president of the Childrens Court since February 2011. Currently there are 24 other judges who also hold commissions under this Act.

Regional centres

The lists in the seven regional centres at Cairns, Townsville, Rockhampton, Maroochydore, Southport, Ipswich and Beenleigh have been well maintained by the regional judges based in those centres.

Circuits

Through its circuit load, the court is accessible to those in remote, rural and regional Queensland so that matters can be heard and decided in a timely fashion no matter in what part of the state. The efficient allocation of judicial resources through circuit allocations improves the overall functioning of the court and, by reference to the efficiency and quality of its output, produces more consistent decision-making.

Indigenous and remote circuits

The judges, as in previous years, visited the remote Aboriginal and Islander communities on circuit. Judges sat in the Gulf (Mornington Island, Doomadgee and Normanton), the Cape (Weipa/Napranum, Kowanyama, Aurukun, Pormpuraaw and Lockhart River), Thursday Island, Bamaga, Yarrabah, Cooktown, Palm Island, and Woorabinda and in Murgon to deal with Cherbourg matters.

Overall

The court's performance, in view of its workload during 2013-14, has been creditable.

Practice Directions

During the year, 13 District Court Practice Directions were issued, and 7 were issued for the Planning and Environment Court.

The Focus Group

The Focus Group, chaired by the Senior Judge Administrator and comprising the Chief Justice, the President of the Court of Appeal, the Chief Judge, the Chief Magistrate and the Director-General, met with the Executive Director of the Supreme, District and Lands Courts Service and other senior officers throughout the year. Its purpose is to keep the courts informed about actual and proposed departmental initiatives for the state courts, to provide an opportunity for the courts to participate in the allocation of resources, and to ensure the regular monitoring of the courts' registry and administrative operations.

Rules Committee

The Rules Committee, chaired by Justice Muir of the Court of Appeal of the Supreme Court, included the Chief Justice and Justice Margaret Wilson, and from the District Court, Judge Robin QC (to 28 November 2013) and Judge Dorney QC (from 29 November 2013). The committee met at least weekly out of ordinary court hours.

Benchbook

The Supreme and District Courts Benchbook provides model directions for the judges conducting criminal trials, specifically designed to apply the *Criminal Code*, which in significant respects differs from the common law applied in some other states. It is a work of collegiate endeavour. During the year under report, Judge Shanahan, Judge Dick SC, Judge Rafter SC and Judge Martin SC were its District Court members. The committee works over extended periods updating and adding to this essential and important work.

Chief Judge's calendar

This year as in previous years, I sat in the various jurisdictions of the court, both in and out of Brisbane: including sittings in the regional centres of Cairns, Townsville, Southport and Rockhampton.

During the year I met with the leaders and representatives of the many organisations principally involved in the justice system, such as the Queensland Bar Association, the Queensland Law Society, the Director of Public Prosecutions, Legal Aid Queensland, law school academics, the Hon Philip Cummins, president of Court Network for Humanity, and the president and committee of Protect All Children Today (PACT) and representatives of the College of Law Practical Legal Training (PLT) Program to advance the implementation of a specific associates' course, designed to enable associates to undertake the PLT for admission to the legal profession.

Aside from monthly judges' meetings, meetings of the judges' committees and the Supreme Court Library Committee, conferences and public events, I met regularly 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 Executive Director of the Supreme District and Land Courts Service and her deputies, the Sheriff, listings managers and Courts Information Technology staff and had regular meetings with leaders of the legal profession and justice system.

I attended meetings of the Council of Chief Judges, projects and meetings involved in the organisation of the District Court and its registries, meetings of the Supreme Court Library Committee, the Focus Group, and other conferences, seminars and forums in Queensland and elsewhere.

Continuing judicial professional development

During the year many of the judges spoke or presented papers at many important professional meetings and conferences, details of which appear in this report, as well as presiding over moots and speaking to schools and community groups. Details of the judges' judicial professional development involving overseas studies, seminars, programmes or conferences are published annually on the court website. Also, the court calendar is structured so that 2.5 days per annum is set aside for judicial professional development in banc. This time is especially important for the court – it is the only time that the court's 38 judges are together, as 13 of the judges have permanent chambers in various parts of Queensland outside Brisbane.

Office of the Executive Director of the Supreme, District and Land Courts Service

The institution of this role and responsibility, which includes that formerly known as the Office of the Director of Courts, marked a great improvement this year in the coordination and oversight of registry administration and the provision of judicial support services for these courts. The creation of the Supreme, District and Land Courts Service followed the 2010 review of the governance and structure of registries across several major jurisdictions, including the District Court.

The Executive Director of Courts Service, Ms Julie Steel, is also the Principal Registrar of the Supreme and District Courts and the registrar of the Planning and Environment Court and the Childrens Court of Queensland, and is supported by executive, administrative and registry staff throughout Queensland.

Associates' appointments

Associates are appointed by the Chief Judge pursuant to s36(2) of the *District Court of Queensland Act 1967*, who may remove or suspend associates by virtue of the *Acts Interpretation Act 1954*, s25. Associates are appointed as deputy sheriffs by the Chief Executive of the Department of Justice and Attorney-General (s213 of the *Supreme Court Act 1995*).

Access to the Court

Court Network

The Court Network, a volunteer service, has operated in the District Court in Brisbane since December 2007, giving support and non-legal information and referral services to court-users attending at the court, whether as litigants or witnesses or their families and supporters. It receives referrals from various services, departments and other persons. The volunteers may be found in the courtrooms and elsewhere throughout the QE II Courthouse. Court Network also operates in Cairns and Townsville.

The volunteers 'support court-users in the courtroom and familiarise them with the courthouse. They also provide court-users with a safe place in the courthouse and refer them to those community services or charities which can provide relevant assistance. During the year, court users were assisted in Brisbane, Townsville and Cairns Courts.

Court Network provides a second service in Brisbane with an information and Justice of the Peace service based at the Information Kiosk in the QE II Courthouse.

Queensland Public Law Clearing House

The Queensland Public Law Clearing House (QPILCH) provides the Self Representation Civil Law Service in the QE II Courthouse. The service assists litigants in person prepare for a civil action in the District or the Supreme Court. Completely independent of the courts and government, the service is designed to assist litigants without legal representation take the practical steps necessary to have their case fully heard and determined.

Self Represented Litigants Service

The Self Represented Litigants Service also began in December 2007. It is to be found on the ground floor of QE II Courthouse and is operated by staff from the court's civil registry who also provide advice of a non-legal nature. The service is designed to assist and support those litigants appearing in person in civil matters and provides both private meeting rooms in which to prepare for court as well as computer and printing access.

International aspects

On 27 May 2014, Judge Rackemann spoke to a delegation from Heilongjiang province high people's court of china who visited the court.

Judicial appointments

On 6 February, the Governor in Council appointed the Hon Justice Brian John Preston SC, Chief Judge of the Land and Environment Court of New South Wales, an acting Judge of the District Court of Queensland on and from 14 February 2014 to and including 5 May 2014.

Further, pursuant to the *Sustainable Planning Act 2009*, the Governor in Council approved Justice Preston SC be a Judge constituting the Planning and Environment Court on and from 14 February 2014 to and including 5 May 2014.

Judicial retirements

Judge Marshall Irwin, who was appointed to the District Court of Queensland on 11 September 2003, retired on 20 January 2014.

Acknowledgement

Once again, the Judicial Administrator, Judge O'Brien, has assisted and supported me in the due administration of the court. He, rightly, has the confidence of the judges.

I thank the judges, officers of the registry, the court's administrative staff, and the Director-General and his staff, for their dedication to the effective discharge of the court's undertaking during the year under review.

Profile of the District Court

Judges of the District Court

During the year under report the judges were:

Chief Judge	Her Honour Chief Judge Patricia Mary Wolfe AO
Judge Administrator	His Honour Judge Kerry John O'Brien
Judges	His Honour Judge Hugh Wilfrid Harry Botting
	His Honour Judge Michael John Noud
	His Honour Judge Philip David Robin QC
	His Honour Judge John Mervyn Robertson (Maroochydore)
	His Honour Judge Douglas John McGill SC
	His Honour Judge Clive Frederick Wall RFD QC (Southport)
	His Honour Judge Nicholas Samios
	Her Honour Judge Deborah Richards (Ipswich)
	Her Honour Judge Sarah Bradley (Ipswich)
	His Honour Judge Michael John Shanahan
	Her Honour Judge Julie Maree Dick SC
	His Honour Judge Marshall Philip Irwin (until 20 January 2014)
	His Honour Judge Michael Edward Rackemann
	His Honour Judge Milton James Griffin SC
	Her Honour Judge Julie Ann Ryrie
	His Honour Judge Ian Francis Macrae Dearden (Beenleigh)
	Her Honour Judge Fleur Yvette Kingham
	His Honour Judge Stuart Gordon Durward SC (Townsville)
	His Honour Judge Anthony John Rafter SC
	His Honour Judge Terence Douglas Martin SC
	His Honour Judge David Graham Searles
	His Honour Judge Gregory John Koppenol (Ipswich)
	His Honour Judge David Charles Andrews SC
	Her Honour Judge Leanne Joy Clare SC
	His Honour Judge William Garth Everson (Cairns) (until 30 June 2014)
	His Honour Judge Brian Gerard Devereaux SC
	Her Honour Judge Katherine Mary McGinness (Southport)
	His Honour Judge Kiernan Damian Dorney QC
	His Honour Judge Richard Stephen Jones
	His Honour Judge Brian Anthony Harrison (Cairns)
	His Honour Judge David Andrew Reid
	His Honour Judge John Richard Baulch SC (Townsville)
	His Honour Judge Gary Patrick Long SC (Maroochydore)
	His Honour Judge Bradley Wayne Farr SC
	His Honour Judge Alexander Adrian Horneman-Wren SC (also on QCAT duties)
	His Honour Judge Paul Edward Smith (from 8 March 2013) (Rockhampton)

Regional, planning and childrens court judges

Regional judges

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

Maroochydore	Judge Robertson
	Judge Long SC
Southport	Judge Wall QC
	Judge McGinness
Townsville	Judge Durward SC
	Judge Baulch SC
Rockhampton	Judge Paul Edward Smith
Ipswich	Judge Richards
	Judge Bradley
	Judge Koppenol
Cairns	Judge Everson (until 30 June 2014)
	Judge Harrison
Beenleigh	Judge Dearden

Planning and Environment Court

The Planning and Environment Court judges during 2013-14 are listed below:

Chief Judge Wolfe	Judge Martin SC
Judge O'Brien	Judge Searles
Judge Robin QC	Judge Andrews SC
Judge Robertson	Judge Everson
Judge Wall QC	Judge Dorney QC
Judge Rackemann	Judge Harrison
Judge Griffin SC	Judge Jones
Judge Kingham	Judge Reid
Judge Durward SC	Judge Baulch SC
Judge Rafter SC	Judge Long SC

Childrens Court of Queensland

The Childrens Court judges during 2013-14 are listed below:

Judge Shanahan – President

Judge O'Brien

Judge Robertson

Judge Wall QC

Judge Samios

Judge Richards

Judge Bradley

Judge Dick SC

Judge Irwin SC

Judge Griffin SC

Judge Dearden

Judge Kingham

Judge Durward SC

Judge Rafter SC

Judge Martin SC

Judge Clare SC

Judge Everson

Judge Devereaux SC

Judge McGinness

Judge Harrison

Judge Reid

Judge Baulch SC

Judge Long SC

Judge Farr SC

Judge Smith

The court

The work of the District Court

The District Court hears and determines appeals and resolves matters commenced by indictment in criminal cases, claim or originating application in civil proceedings, by trial, hearing or consensus. The Chief Judge is responsible for the administration of the court.

The District Court is the principal court in Queensland for trials of persons charged with serious criminal offences. Criminal trials are usually heard with a jury. Civil matters are normally heard by a single judge. The court exercises equitable and other jurisdiction within its civil monetary limit. The judges have adopted a protocol that, save in exceptional cases, judgments are to be delivered within three months of the conclusion of the hearing. The District Court hears all appeals from the Magistrates Courts. Many of the judges also sit as Planning and Environment Court judges and Childrens Court judges.

Some of the judges serve on committees with responsibility for developing and implementing policies and procedures for the continual improvement of the functioning of the courts. These include the Supreme and District Courts Benchbook Committee; the Supreme and District Courthouse Building Committee; the Learning and Development Committee; the Rules Committee and the District Court judges' committees.

Organisation of work

The work of the District Court judges was organised in terms of the following categories:

- Criminal
- Civil
- Appellate
- The Planning and Environment Court
- Childrens Court of Queensland

Criminal jurisdiction

In practice the court deals with all indictable matters other than homicides and the most serious drug offences. Almost 85 per cent of all defendants charged on indictment came before the District Court in 2013-14. The court regularly conducts trials involving about 24 offences attracting a maximum penalty of life imprisonment.

The court deals with offences under Commonwealth and state drug laws as well as offences under the *Corporations Law*, the *Commonwealth Migration Act 1958* and against federal and state revenue laws.

During the year the Chief Judge and Judge O'Brien, with assistance from other judges, mainly Judge Shanahan and Judge Martin SC, managed the criminal list in Brisbane. In the regions, the lists are managed by the resident judges.

For the larger circuit centres, Judge Robertson and Judge Long SC had special responsibility for the Bundaberg, Gympie and Kingaroy lists, Judge Botting for Maryborough and Hervey Bay, Judge Dick SC for the Mackay lists and Judge Dearden for Mount Isa.

Many of the cases are reviewed or managed by the judge well before the trial date, to ensure that the prosecution has provided the defence with all witnesses' statements and particulars and that the defence has considered whether a s590AA hearing is required. In smaller 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 prosequi*.

Table 1: The activity of the District Court criminal list

	Number of Defendants			Clearance Rate	Backlog Indicator	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	1642	1623	505	98.8%	14.1%	6.7%
Regional centres						
Beenleigh	420	379	204	90.2%	12.7%	1.5%
Cairns	483	481	115	99.6%	11.3%	2.6%
Ipswich	339	326	117	96.2%	15.4%	4.3%
Maroochydore	381	302	126	79.3%	7.9%	0.0%
Rockhampton	280	278	107	99.3%	28.0%	9.3%
Southport	515	483	157	93.8%	3.8%	1.3%
Townsville	458	366	126	79.9%	14.3%	5.6%
Total for Brisbane and regional centres	4518	4238	1457			
Circuit centres						
Bowen	26	39	7	150.0%	0.0%	0.0%
Bundaberg	63	66	15	104.8%	26.7%	26.7%
Charleville	2	6	7	300.0%	14.3%	0.0%
Charters Towers	2	4	2	200.0%	0.0%	0.0%
Clermont	-	-0	-	0.0%	0.0%	0.0%
Cloncurry	-	-	-	0.0%	0.0%	0.0%
Cunnamulla	-	-	-	0.0%	0.0%	0.0%
Dalby	27	30	4	111.1%	25.0%	25.0%
Emerald	14	25	6	178.6%	0.0%	0.0%
Gladstone	44	74	18	168.2%	16.7%	5.6%
Goondiwindi	1	3	-	300.0%	0.0%	0.0%
Gympie	22	38	7	172.7%	0.0%	0.0%
Hervey Bay	62	69	13	111.3%	0.0%	0.0%
Hughenden	-	1	1	0.0%	0.0%	0.0%
Innisfail	1	6	2	600.0%	0.0%	0.0%
Kingaroy	31	30	12	96.8%	0.0%	0.0%
Longreach	-	-	-	0.0%	0.0%	0.0%
Mackay	136	128	51	94.1%	2.0%	0.0%
Maryborough	52	49	20	94.2%	10.0%	5.0%
Mt Isa	48	87	22	181.3%	18.2%	13.6%
Roma	6	11	1	183.3%	0.0%	0.0%
Stanthorpe	3	7	3	233.3%	0.0%	0.0%
Toowoomba	161	131	42	81.4%	9.5%	2.4%
Warwick	13	20	8	153.8%	0.0%	0.0%
Total for circuit centres	714	824	241			
State total	5232	5062	1698	96.8%	12.5%	4.4%

(1) Data extracted from QWIC for reporting purposes on 25/07/14

(2) Defendant: As defined by the RoGS rule: A 'defendant' is defined as 'one defendant; with one or more charges; and with all charges having the same date of registration'. Defendants with outstanding bench warrants and defendants with secondary charges such as breaches of court orders are excluded. Also excluded are defendants who have been committed to the District Court and are awaiting presentation of indictment.

(3) Clearance rate: finalisations/lodgments

(4) Backlog indicator - the number of active defendants with proceedings older than the specified time.

Civil jurisdiction

The ambit of the District Court's civil jurisdiction is described in s68 of the *District Court of Queensland Act 1967*, and many of its powers in s69. The court has an extensive general jurisdiction enabling it to deal with:

- all personal claims and any equitable claim or demand up to the monetary limit of \$750,000
- 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.

Some matters are disposed of by judges dealing with interlocutory applications in actions commenced by claims or originating applications. The more complex matters are case managed by the judges, leading to their early disposition.

The Report on Government Services (RoGS) unit of measurement for the civil jurisdiction is a case. Secondary processes, such as interlocutory applications, are excluded. RoGS files include all claims and originating applications.

A civil case is considered active if it has not been finalised by adjudication, transfer to another court, and settlement by mediation, default judgment, notification that parties have discontinued, or else is deemed to be resolved as, for example, where there has been no activity for 12 months.

Table 2: Clearance rate in civil cases

	RoGS Non Appeal Cases			Clearance Rate *	Backlog Indicator	
					From filing date	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	4267	3885	3765	91.0%	18.3%	3.7%
State Total	5540	5304	4935	95.7%	19.6%	4.1%

*Clearance rate - finalisations/lodgments

Data extracted for reporting purposes on 25/07/13

These statistics do not reflect the change in the court's civil workload which resulted from the increase in jurisdiction brought about by the *Civil and Criminal Jurisdiction Reform and Modernisation Amendment Act 2010*.

Commercial List

The District Commercial List was established, in October 2010, pursuant to Practice Direction no 3 of 2010 in view of the increase in the court's monetary jurisdiction to \$750,000 from 1 November 2010.

The Commercial List judges are Judge Robin QC, Judge McGill SC, Judge Andrews SC and Judge Dorney QC.

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

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.

Appellate jurisdiction

During the year this court heard and determined 373 criminal appeals and 57 civil appeals from the Magistrates Court.

Case management of appeals to the District Court continued with regular reviews of outstanding appeals throughout the year.

This table shows the clearance rate in criminal and civil appeals.

Table 3: Clearance rate in criminal and civil appeals

	RoGS Appeal			Clearance Rate *	Backlog Indicator	
					From filing date	
Civil	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	37	29	32	78.4%	18.8%	9.4%
State Total	68	57	48	83.8%	14.6%	6.3%
Criminal						
Brisbane	158	130	90	82.3%	15.6%	2.2%
State Total	427	373	208	87.4%	9.6%	1.0%

*Clearance rate - finalisations/lodgments

The Planning and Environment Court

The court is constituted by a District Court judge appointed to it. Many of the judges who may constitute the court are based in Brisbane. With the exceptions of Beenleigh and Rockhampton a Planning and Environment Court judge is based in each regional centre. The court may sit anywhere.

The court was first constituted in 1966 as the Local Government Court, then renamed in 1991 pursuant to the *Local Government (Planning and Environment) Act 1990*, and then continued pursuant to the *Integrated Planning Act 1997* and now, pursuant to the *Sustainable Planning Act 2009* (SPA). The court's rules and Practice Directions are made under the SPA.

The court exercises jurisdiction over a myriad of planning and/or environmental disputes. Matters are often complex and many have significant environmental, social and economic consequences. The court has unlimited monetary jurisdiction. It may make declarations and other orders; make interim enforcement orders and final enforcement orders; conduct full merits reviews of decisions of local governments and government entities; hear claims for compensation and punish for contempt.

Judges travel throughout Queensland to hear and determine planning matters, so that matters may be heard at a place close to the site or development, and the community which it affects.

Practice and procedure in the Planning and Environment Court is characterised by active list supervision, individual case management and the comprehensive deployment of ADR mechanisms.

The judges actively supervise the lists and their flexible case management achieves the just and expeditious resolution of the real issues in proceedings at a minimum of expense. The court's management of experts is recognised as one of the best in the common law world.

Almost 95 per cent of cases are finalised without proceeding to a full hearing. The court's ADR service is free of cost to the parties and is provided throughout the State. Parties may avail themselves of the ADR service by agreement or pursuant to an order of the court.

The court's ADR Registrar conducts mediations; convenes and chairs without prejudice meetings, meetings of experts and case management conferences. Mediations and other ADR processes were conducted not only in Brisbane, but in centres across the State. The court's ADR service has been recognised internationally as providing visionary ADR access to justice.

The *Sustainable Planning and Other Legislation Amendment Act 2012* took effect on 22 November 2012. It expanded the powers of the ADR Registrar. In particular, the ADR Registrar may now exercise a power of the court pursuant to a practice direction and may also hear and decide a proceeding where the court so directs. The court reissued Practice Direction 6 of 2013, which permits the ADR Registrar to make an order or issue directions about a proceeding in certain circumstances.

Practice Direction 7 of 2013 was also issued, replacing Practice Direction 1 of 2011. That practice direction encourages parties to disputes about infrastructure charges or development approval conditions to proceed quickly to dispute resolution before the ADR Registrar if they have not, within one month, applied to have the matter heard and determined by the ADR Registrar. This encourages the efficient and cost effective resolution or determination of those matters.

The number of active pending matters was 310, and the number of new matters was 434.

Table 4: Clearance rate in planning and environment cases

Planning and Environment Court 2013-14						
				Clearance	Backlog Indicator	
				Rate *	From filing date	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Brisbane	350	474	234	135.4%	34.6%	16.2%
State Total	434	558	310	128.6%	35.8%	17.4%

*Clearance rate - finalisations/lodgements

Childrens Court of Queensland

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 people being held on remand. They also determine appeals pursuant to section 117 of the *Child Safety Act 1999* and applications under the *Surrogacy Act 2010*.

The Children's Court of Queensland is a specialist jurisdiction established under the *Childrens Court Act 1992*. The President of the Court is Judge Shanahan. There are presently 26 judges of the Court holding commissions under the Act available to sit as Childrens Court judges.

A separate annual report of the Childrens Court of Queensland is prepared under the *Childrens Court Act 1992* and further details of the Childrens Court can be found in that report.

Regional centres

The court sits in Brisbane and the seven regional centres where 14 of the judges are based:

- Cairns
- Rockhampton
- Townsville

- Maroochydore
- Southport
- Ipswich
- Beenleigh

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.

Cairns

Judge Everson (until 30 June 2014)

Judge Harrison

Judge Everson and Judge Harrison were the resident judges in Cairns managing the court's lists there. This centre is also served by the Supreme Court's Far Northern Judge. The region includes Innisfail and Cape York. Both judges hold commissions in the Childrens Court and in the Planning and Environment Court. The judges undertook circuits in the Cairns region and elsewhere in the state. Some assistance was provided by judges on circuit from other centres.

In Cairns, with 483 new criminal matters, the court ended the year with 115 outstanding matters and disposed of 481 matters (a 99.6 per cent clearance rate). Of the outstanding matters, 11.3 per cent were more than 12 months old (from date of presentation of indictment), and 2.6 per cent were more than 24 months old. In its appellate criminal jurisdiction, the court at Cairns disposed of 27 criminal appeals, ending the year with 12 outstanding, a 75.0 per cent clearance rate.

On the civil side, 154 new cases were lodged at the court at Cairns. The court ended the year with 153 outstanding cases, disposing of 157 matters, reflecting a 101.9 per cent clearance rate. Of the active cases at the end of the year, 28.1 per cent were older than 12 months (from filing date) and 5.9 per cent were older than 24 months.

On the planning jurisdiction side, 14 new cases began in the court at Cairns. It ended the year with 10 outstanding cases, disposing of 10 cases, reflecting a 71.4 per cent clearance rate. Of the active cases at the end of the year, 16.7 per cent were older than 12 months (from filing date) and 8.3 per cent of cases were older than 24 months.

Rockhampton

Judge Smith

The resident judge in Rockhampton, Judge Smith, who also holds a commission in the Childrens Court of Queensland, managed the court's Rockhampton lists. Rockhampton is also served by the Supreme Court's Central Judge. Judge Smith undertook circuits in the region and elsewhere in the state.

In Rockhampton, with 280 new criminal matters the court ended the year with 107 outstanding criminal matters and disposed of 278 matters (a 99.3 per cent clearance rate). Of the outstanding matters, 28.0 per cent were more than 12 months old (from date of presentation of indictment), and 9.3 per cent were more than 24 months old. The court disposed of 8 criminal appeals during the year.

On the civil side, 85 new cases were lodged, ending the year with 61 outstanding cases, disposing of 84 cases, reflecting a 98.8 per cent clearance rate. Of the active cases at the end of the year, 11.5 per cent were older than 12 months (from filing date) and 1.6 per cent were older than 24 months.

On the planning side, three new cases began in the court in Rockhampton. It ended the year with no outstanding cases, disposing of three matters, reflecting a 100.0 per cent clearance rate.

Some assistance was provided by judges on circuit from other centres.

Townsville

Judge Durward SC

Judge Baulch SC

Judge Durward and Judge Baulch were the resident judges during the year. Townsville is also served by the Supreme Court's Northern Judge. Judge Durward and Judge Baulch hold commissions in the Childrens Court and the Planning and Environment Court and they also undertake circuits in their region, which includes Palm Island. Some assistance was provided by judges on circuit from other centres, although the reduction in the number of circuit judges available to assist Townsville had an impact on the Townsville criminal and planning lists.

In Townsville, with 458 new criminal matters, the court ended the year with 126 outstanding criminal matters and disposed of 366 matters (a 79.9 per cent clearance rate). Of the outstanding matters, 14.3 per cent were more than 12 months old (from date of presentation of indictment), and 5.6 per cent were more than 24 months old.

In its appellate criminal jurisdiction, the court at Townsville with 49 appeals lodged, ended the year with 18 outstanding criminal appeals, disposing of 45 appeals, reflecting a 91.8 per cent clearance rate.

On the civil side, 235 new cases were lodged. The court ended the year with 193 outstanding cases, disposing of 225 cases, reflecting a 95.7 per cent clearance rate.

On the planning side, 18 new cases began in the court at Townsville. The court ended the year with 17 outstanding cases, disposing of 14 cases, reflecting a 77.8 per cent clearance rate.

Maroochydore

Judge Robertson

Judge Long SC

Judge Robertson is the senior judge. He and Judge Long hold commissions in the Planning and Environment Court and the Childrens Court.

Most of the work of the court at Maroochydore is undertaken by the resident judges, with a little assistance from other judges who visit on circuit. In addition to the usual work within the jurisdiction of the District Court, each of the resident judges sits as a Childrens Court judge and also deals with proceedings in the Planning and Environment Court.

In Maroochydore, with 381 new criminal matters the court ended the year with 126 outstanding criminal matters and disposed of 302 matters (a 79.3 per cent clearance rate). Of the outstanding matters, 7.9 per cent were more than 12 months old (from date of presentation of indictment), and none were more than 24 months old.

On the civil side, 138 new cases were lodged in the court at Maroochydore. The court ended the year with 142 outstanding cases, disposing of 131 cases, reflecting a 94.9 per cent clearance rate. Of the active cases at the end of the year, 20.4 per cent were older than 12 months (from filing date) and 2.8 per cent were older than 24 months.

In the planning jurisdiction, 31 new cases began in the court at Maroochydore. The court ended the year with 30 outstanding cases, disposing of 43 cases, reflecting a 138.7 per cent clearance rate.

The Maroochydore-based judges undertake much of the circuit work at Gympie and Kingaroy. The Kingaroy district includes the largely indigenous community of Cherbourg and the judges visit the nearby town of Murgon on circuit. Judge Robertson also has responsibility for the Bundaberg circuit lists. Both judges undertake circuit work elsewhere in the state.

Southport

Judge Wall QC

Judge McGinness

Judge Newton (who retired on 29 January 2013), Judge Wall and Judge McGinness received considerable assistance during the year from the circuit judges.

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 elsewhere in the state.

In Southport with 515 new matters the court ended the year with 157 outstanding criminal matters and disposed of 483 matters (a 93.8 per cent clearance rate). Of the outstanding matters, 3.8 per cent were more than 12 months old (from date of presentation of indictment), and 1.3 per cent were more than 24 months old.

On the civil side, 296 new cases were lodged at Southport (28.8 per cent fewer than last year). The court ended the year with 319 outstanding cases, disposing of 390 cases, 25 per cent fewer than last year, reflecting a 131.8 per cent clearance rate. Of the active cases at the end of the year, 27.3 per cent were older than 12 months (from filing date) and 8.8 per cent were older than 24 months.

In its appellate criminal jurisdiction, the court at Southport with 47 criminal appeals lodged, disposed of 41 appeals, reflecting a 87.2 per cent clearance rate. In its appellate civil jurisdiction, the court at Southport ended the year with six outstanding civil appeals, disposing of three appeals, reflecting a 50.0 per cent clearance rate.

On the planning side, 9 new cases began in the court at Southport. It ended the year with 15 outstanding cases, disposing of 13 cases, reflecting a 144.4 per cent clearance rate. Of the active cases at the end of the year, 66.7 per cent were older than 12 months (from filing date) and 46.7 per cent were older than 24 months.

Ipswich

Judge Richards

Judge Bradley

Judge Koppenol

Judge Richards, Judge Bradley and Judge Koppenol dealt with the Ipswich caseload. Judge Richards and Judge Bradley hold a commission in the Childrens Court of Queensland, and Judge Richards who is also a Planning and Environment Court Judge, manages the Ipswich lists. All three judges undertook circuits in centres throughout the state.

In Ipswich with 339 new matters, the court ended the year with 117 outstanding criminal matters and disposed of 326 matters (a 96.2 per cent clearance rate). Of the outstanding matters, 15.4 per cent were more than 12 months old (from date of presentation of indictment), and 4.3 per cent were more than 24 months old.

In its appellate criminal jurisdiction, the court at Ipswich ended the year having disposed of 16 criminal appeals, achieving an 88.9 per cent clearance rate.

Beenleigh

Judge Dearden

Judge Dearden, the resident judge, also holds a commission in the Childrens Court of Queensland and manages the Beenleigh and Mount Isa lists. The judge also conducted circuits in Mount Isa and other centres. Considerable assistance was provided by judges on circuit from other centres.

In Beenleigh with 420 new criminal matters, the court ended the year with 204 outstanding criminal matters and disposed of 379 matters (a 90.2 per cent clearance rate). Of the outstanding matters, 12.7

per cent were more than 12 months old (from date of presentation of indictment), and 1.5 per cent were more than 24 months old.

In its appellate criminal jurisdiction, the court at Beenleigh disposed of 9 appeals, reflecting a 69.2 per cent clearance rate.

Circuit centres

Depending upon caseload, District Court jury trials may be held in 24 circuit centres (excluding those with a resident judge), and the judges also travel to the 15 remote or Aboriginal and Torres Strait Islander communities throughout the state, for sentencing and some civil matters.

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

The 37 centres (excluding those with a resident judge) where judges sit on circuit during the year are: Aurukun; Bamaga; Bowen; Bundaberg; Charleville; Charters Towers; Cloncurry; Cooktown; Cunnamulla; Dalby; Doomadgee; Emerald; Gladstone; Goondiwindi; Gympie; Hervey Bay; Innisfail; Kingaroy; Kowanyama; Lockhart River; Longreach; Mackay; Maryborough; Mornington Island; Mount Isa; Murgon; Normanton; Palm Island; Pormpuraaw; Roma ; Stanthorpe; Toowoomba; Thursday Island; Warwick; Weipa/ Napranum; Woorabinda; Yarrabah.

Judges' committees

The membership of the judges' committees as at 30 June 2014, with the Chief Judge an ex officio member of each committee, was as follows:

Civil Procedure

Convenor: Judge Robin QC

Members: Judge McGill SC
Judge Rackemann
Judge Andrews SC
Judge Dorney QC

Criminal Law

Convenor: Judge Shanahan

Members: Judge Robertson
Judge Dearden
Judge Rafter SC
Judge Martin SC
Judge Clare SC
Judge Long SC

Judicial Professional Development

Convenor: Judge Martin SC

Members: Judge Dick SC
Judge Griffin SC
Judge Searles
Judge Andrews SC
Judge Devereaux SC

Court Planning

Convenor: Judge Andrews SC

Members: Judge Dearden
Judge Durward SC
Judge Searles
Judge Long SC
Judge Farr SC

Cultural Awareness and Aboriginal and Torres Strait Islander

Convenor: Judge Martin SC

Members: Judge Richards
Judge Bradley
Judge Shanahan
Judge Everson
Judge Harrison
Judge Reid

Entitlements

Convenor: Judge Searles

Members: Judge Botting
Judge Rackemann
Judge Devereaux

Civil procedure committee

The Civil Procedure Committee is available to give advice and assistance in respect of the civil jurisdiction exercised by the court to the Chief Judge and the judges generally. It functions informally, typically meeting and communicating by email.

Advice is often provided in connection with the Chief Judge's formulating and presenting the views of the court about changes in legislation and regulations that are proposed by state or Commonwealth authorities or seem desirable.

Judge Robin QC and Judge McGill SC who are members of the Civil Procedure Committee sit on the Rules Committee and are able to provide appropriate liaison to ensure that the views of the court are ascertained and given proper consideration.

Court planning committee

Judge Andrews SC is the convenor of this committee which assists the Chief Judge with advice on a range of administrative matters.

During the year, the committee acted, primarily to assist the Chief Judge in addressing planning and strategic matters arising in the course of her administration of the court. As in past years those matters often required prompt attention from available committee members who, for that reason, met informally rather than by pre-arrangement.

Criminal law committee

The Criminal Law Committee advised the Chief Judge with respect to numerous law reform initiatives. These included changes to the criminal law in Queensland

Judge Shanahan continued to serve on the NJCA Planning Committee on Jury Management, chaired by the Honourable Justice Byrne SJA.

The Chief Judge and Judge Shanahan met with representatives of Protect All Children Today (PACT) with respect to the support role played by PACT volunteers in the pre-recording of affected child witnesses' evidence under Division 4A of the Evidence Act 1977.

Judicial professional development committee

During the year under review -

- Judge Shanahan represented the court on the Judicial Conference of Australia Governing Council
- Judge Shanahan served on the National Judicial College of Australia Planning Committee on Jury Management
- Judge Dearden was a member of the USQ Law School Advisory Committee.

The judges of the Planning and Environment Court and the ADR Registrar also engaged with those interested in the jurisdiction. Judge Rackemann addressed ACPECT, the National Environmental Law Association Conference, the Queensland Environmental Law Conference, the North Queensland Law Association Conference as well as post graduate students at the University of Queensland. The ADR Registrar, in conjunction with the Queensland Environmental Law Association conducted a very popular and highly successful series of 10 seminars (the Taylor Made Series) designed for the benefit of junior practitioners.

The continuing professional development of the judges was actively pursued during this year. The Standard for Judicial Professional Development in Australia was adopted and confirmed by the judges of this court soon after its adoption by the Council of Chief Judges in 2007. The judges are reminded frequently of the importance of undertaking continuing judicial professional development and of the Standard. There is a high standard of compliance with the Standard by the judges of the District Court.

All judges also presented papers or participated in seminars or conferences during the year. Details of the judges' judicial professional development involving overseas studies, seminars, programmes or conferences are published annually on the court website. Also, the court calendar is structured so that 2.5 days per annum is set aside for judicial professional development in banc. This time is especially important for the court – it is the only time that the court's 38 judges are together, as 13 of the judges have permanent chambers in various parts of Queensland outside Brisbane.

The judges value the important support offered by the National Judicial College of Australia, as well as the assistance of the Australian Institute of Judicial Administration, the Judicial Conference of Australia

and the Judicial Commission of NSW in furthering judicial professional development. All newly appointed judges benefit from the National Judicial Orientation program.

Office of the Executive Director of the Supreme District and Land Courts Service

The role of the Office of the Executive Director of the Supreme District and Land Courts Service includes the coordination and oversight of registry administration and the provision of judicial support services for the District Court throughout the State.

Ms Julie Steel is the current Executive Director and she is supported by executive, administrative and registry staff throughout Queensland.

Ms Steel has been appointed Vice President of Court Network, having been a Board member for three years prior. She also regularly attends meetings of the Rules Committee.

Registry Services

Court registries are responsible for:

- receiving and sealing documents for filing and service
- providing information about the general court process and the progress of particular matters
- maintaining court records and ensuring that documents are created and distributed to give effect to orders of the court
- organising resources to enable matters to progress through the system and hearings to proceed
- performing all necessary administrative work associated with the criminal and civil jurisdictions of the court.

Permanent District Court registries are located at Brisbane, Rockhampton, Townsville, and Cairns, and further District Court registries are located at Beenleigh, Ipswich, Maroochydore and Southport. Other centres throughout Queensland are visited on circuit, and local Magistrates Courts staff perform the registry duties at those times.

The online *eSearch* facility was used significantly during 2013-14, with in excess of 1,800,000 online searches conducted during the financial year.

Registry workloads

Across the State, District Court civil lodgments decreased by 0.1% during 2013-14 compared to 2012-13. By contrast, lodgments increased in the Brisbane registry by 4.5% during the same period.

In the criminal jurisdiction, lodgments throughout the State increased by 11.2% during the year. Whilst Brisbane experienced a small increase of 1.3% in criminal lodgments, there were significant increases in the regional centres of Beenleigh (27.3%), Mackay (61.9%), Maroochydore (33.7%), Southport (26.5%), and Townsville (31.2%).

The analysis around the length of criminal trials that was commenced during 2011-12 continued and showed that 546 District Court trials proceeded this year, compared to 572 for the 2012-13 financial year. There was a slight decrease in the average length of a trial from 3.3 days to 3.2 days.

Reform and renewal

The Government's commitment to reform and renewal has enabled the registry to participate in, and commence implementing a number of initiatives during the year.

Online juror questionnaire

Since April 2014, prospective jurors for Brisbane sittings have been offered an option of completing jury questionnaire responses using an online interactive form that is submitted electronically and received by the registry for actioning. The online format reduces the number of questions that each potential juror may need to consider if prior questions are answered in certain ways. It is expected that the online form will be offered to all potential jurors in Queensland during 2014-15.

Online search and copy requests

During May 2014, an online interactive form was provided for clients wishing to search and/or obtain copies of material contained on civil files held in Brisbane. The process, which is supported by an electronic payment process, will be expanded to criminal files and then throughout Queensland.

Electronic subpoenas

The potential benefit to parties requesting subpoenas by an online electronic request form was identified by registry staff during a workshop. Whilst an arrangement is in place with the Office of the Director of Public Prosecutions in Brisbane for requests to be made by email, no other agency or person enjoys this arrangement. The first step is the development of an online interactive request form for criminal proceedings to be made available to those wishing to request a subpoena. It is hoped that this can be offered to parties in Brisbane criminal proceedings during the first quarter of 2014-15.

Court Network volunteers

As always, the volunteers of Court Network are to be commended for the invaluable contribution they provide to the courts each year. They receive extensive initial training, regular continuing education and ongoing supervision. The Networkers offer in-court support, explain court process and procedure, and provide emotional support to any court user whether applicant, respondent/defendant, victims, witnesses or family/friends. They also provide court-users with a safe place in the courthouse. Through its volunteers, statewide freecall number and website, Court Network can refer to and receive referrals from community agencies and government departments which can provide continuity of care to court users as they navigate their way through the judicial system.

Court Network provides two core services within the Brisbane Supreme and District Courts. The first is the information and Justice of the Peace service based at the Information Kiosk on the ground floor. This program saw 8,982 court users assisted during 2013-14 and has assisted 46,728 since the service commenced in 2007.

The second program is the 'Networker' program where Volunteers provide support, non-legal information and referral services to court users by way of outreach and through incoming referrals from various services, departments and individuals. During the year, 3,850 court users were assisted in Brisbane, 638 in Townsville and a further 467 in Cairns. The service has assisted 30,442 court users in Queensland since commencing.

Additionally, through funding from Victim Assist Queensland, Court Network established a Victim Support Unit (VSU) operating in Brisbane and Ipswich during the year. It is a 3-year pilot project which offers a coordinated victim-based non-legal court support service within the Brisbane and Ipswich Courts. The purpose of the unit is to increase front-line court support services and provide cross-jurisdictional support for victims of crime, as well as develop and maintain stakeholder relationships. Since September 2013, the VSU has received nine referrals for assistance in the Brisbane Supreme Court, 10 referrals in the Brisbane District Court and 38 referrals in the Ipswich District Court. Of these 57 referrals, the VSU was able to provide much needed support to over 70 victims, witnesses and family/friends of victims.

Acknowledgements

The ongoing enthusiasm, commitment and professionalism of registry staff in discharging their duties are without doubt, some of the most significant assets of the Court. Workloads are managed as efficiently as possible and the many challenges and changes that arise are embraced.

The continuing support and assistance of legal practitioners and judges, particularly in the face of the difficulties which sometimes arise in providing registry services, is greatly appreciated. Their willingness to engage with the registry to improve services is equally appreciated.

Related organisations

Supreme Court of Queensland Library

The Supreme Court Library Queensland (SCLQ) was established under statute more than a century and a half ago to serve the administration of justice in Queensland through provision of legal information services to the Queensland judiciary, legal profession and public. As the primary legal information provider for the state's judiciary and legal profession, the library provides a comprehensive suite of services including reference, research and document delivery, training and support, and publication of the decisions of Queensland courts and tribunals, together with a variety of current awareness services offering access to the latest developments in Queensland law. All of these services are freely available to Queensland's District Court judges across the state.

The library maintains print collections in eight provincial courthouses in addition to the main library collection in Brisbane at the QEII Courts of Law. In 2013-14 our combined print collection totalled 59,567 items, with the library purchasing 161 new monographs and maintaining subscriptions to 630 print journals, legislation services and law reports series. For members of the judiciary their statewide desktop access to an expanding collection of online resources available via the library's *Judicial Virtual Library* (JVL) is their most comprehensive, current and reliable source of legal information. In 2013-14 the library catalogue listed 435 online resources (96 of which were licensed resources), which enabled access to more than 64,361 online full text titles.

During 2013-14 the library continued to lead negotiations for subscription renewals on behalf of the courts. In 2013 the library secured for the Queensland judiciary a three year trial of all the Thomson Reuters ProView eBook and eSubscription content. In late 2013 the library negotiated a similar agreement with LexisNexis to access its LN Red digital loose-leaf collection including key titles such as *Carter's Criminal Law of Queensland*, *Cross on Evidence* and *Civil Procedure Queensland*. These trials of ProView and LN Red publications are important for the library as they offer a cost effective and low risk extended opportunity to explore the feasibility of replacing all or some print loose-leaf subscriptions with electronic versions accessed on mobile devices such as tablet and laptop computers and updated automatically from the internet. The full range of touch screen capabilities of these ePublications will be available to judges with tablet PCs (either their own or those progressively provided to them as part of the courts laptop replacement project), although they will also function satisfactorily on laptop and desktop PCs.

As the publishing arm of the Queensland courts, the library has maintained its commitment to prioritising the publication of full text judgments from Queensland courts and tribunals. Most decisions are published online within an hour of being handed down, making the SCLQ website the primary and most current and authoritative access point for Queensland case law. In 2013-14 the library published 2,434 new decisions from Queensland courts and tribunals, including 419 judgments from the District and Planning and Environment courts. This increased the total number of full text Queensland decisions available from the library website to 28,577.

During 2013-14 the library's Information Services team continued to assist the judiciary and legal profession with navigating available legal research tools within the library's print and online collections. The team responded to a total of 9493 information enquiries, comprising 3835 reference, 173 research and 5485 document delivery requests. A total of 11,750 documents were supplied in response to these queries.

Our websites now comprise the primary means of accessing our information resources and services for the majority of our customers. In 2013-14 more than 6.4 million page views were recorded from the SCLQ website, JVL and library catalogue combined. Consistent with their growing importance as a service delivery platform, the library's websites underwent significant change and development during the year. The main library public website received a makeover, in terms of both structure and look and feel, with a total rebranding and review of the information architecture. Simultaneously a new legal heritage subsite was created to provide statewide access to all aspects of the library's legal heritage program. As part of the redevelopment of the library's main public website a new CaseLaw section was created to provide a central access point for Queensland decisions, with improved search and browse options. Additional research tools, including the Criminal Codes Appellate Decisions Database, Queensland Legal Indices (subscription service), and the Uniform Civil Procedure Rules Bulletin are available via the CaseLaw Plus tab. CaseLaw services recorded more than 2.5 million page views over the year.

The most significant addition to the library's suite of services in 2013-14 was the Queensland Sentencing Information Service (QSIS). From 1 July 2013 total responsibility for provision and

maintenance of this service was transferred to the library from the Department of Justice and Attorney-General (DJAG). Provisioning this new service without any additional funding from the department created a significant challenge for the library, since a service costing well over half a million dollars a year to run needed to be funded from within the library's existing resources. Nevertheless the transition of QGIS to SCLQ control was seamless, without service interruptions. In its first year at SCLQ usage of the service grew by 57%, with the number of times it was accessed increasing from 233,528 in 2012-13 to 366,248 in 2013-14. QGIS is relied upon by prosecutions, defence and the judiciary to promote consistency and fairness in sentencing criminal offenders.

Completion of the modernisation of Cairns Courthouse Library (an initiative of Far North Queensland resident judge The Honourable Justice J D Henry) was achieved in February 2014, with a public opening on 7 April 2014. Installation in the Cairns, Rockhampton and Townsville courthouses of upgraded multifunction copying devices and replacement 'kiosk' public access PCs offering a wide range of online legal resources was completed a month later.

Looking forward to 2014-15, there will be a renewed focus by the Library on providing a high level of support to Queensland's busy judges. This will include expansion of access to the 'go anywhere' electronic versions of popular legal loose-leaf publications designed to be downloaded to tablets and other mobile devices, as well as training and support in identifying, locating and making more effective and efficient use of the range of print, electronic and online resources available to the judiciary. A particular challenge for the library will be securing an adequate and reliable income stream from government administered funding sources to enable it to continue to meet its statutory obligations in terms of service provision.

Appendices

Appendix 1: Practice Directions

The following Practice Directions were issued by the Chief Judge during the year and are available on the Queensland Courts website, www.courts.qld.gov.au.

District Court of Queensland

Table 5: District Court practice directions

Number	Description	Date issued
2013/08	Proceedings for damages for personal injuries of MV accidents Suncorp Metway Ins or AAMI	25 July 2013
2013/09	Designation of Court holidays – Registry 23 December 2013 to January 2014	8 August 2013
2013/10	Notice of change of name – MVM Legal	26 September 2013
2013/11	Citation of Authority	18 October 2013
2013/12	Use of technology for the efficient management of documents in litigation	23 October 2013
2013/13	Identification by Registry of Filed Material subject to Legislative Publication Restriction	24 October 2013
2013/14	Change of name – Atherton Tablelands Law	6 November 2013
2013/15	Change of name – CBP Lawyers	6 November 2013
2013/16	Substitution in Court Proceedings of Queensland Building and Construction Commission for Queensland Building Services Authority	6 December 2013
2014/01	Change of name – Kilroy & Callaghan Lawyers	24 January 2014
2014/02	Change of name – Thomson Geer (Thomson Lawyers)	4 March 2014
2014/03	Change of name and address – Thomson Geer (Herbert Geer)	4 March 2014
2014/04	Change of name and address – Mahoneys (Mahoney Lawyers)	12 May 2014

Planning and Environment Court

Table 6: Planning and Environment Court

Number	Description	Date issued
2013/10	Proceedings for damages for personal injuries of MV accidents Suncorp Metway Ins or AAMI	25 July 2013
2013/11	Notice of change of name – MVM Legal	1 October 2013
2013/12	Citation of Authority	21 October 2013
2013/13	Change of name – Atherton Tablelands Law	6 November 2013
2014/13	Change of name – CBP Lawyers	6 November 2013
2014/01	Change of name – Kilroy & Callaghan Lawyers	24 January 2014
2014/02	Case management proceedings Repeals PD No 2 of 2011	25 February 2014

Appendix 2: District Court associates as at 30 June 2014

Daniel Troy	Associate to Her Honour Chief Judge PM Wolfe AO
David McGrath	Associate to His Honour Judge KJ O'Brien
Jodi Lewry	Associate to His Honour Judge HWH Botting
Andrew Quinn	Associate to His Honour Judge MJ Noud
Vivian Rossi-Price	Associate to His Honour Judge PD Robin QC
Jodie Diefenbach	Associate to His Honour Judge JM Robertson (Maroochydore)
Frances Sanders	Associate to His Honour Judge DJ McGill SC
Joshua Francis	Associate to His Honour Judge CF Wall QC (Southport)
Gabriel Bednarek	Associate to His Honour Judge N Samios
Ellie Jary	Associate to Her Honour Judge D Richards (Ipswich)
Kiri Flutter	Associate to Her Honour Judge S Bradley (Ipswich)
Luke Gollan	Associate to His Honour Judge MJ Shanahan
Siobhan Harrison	Associate to Her Honour Judge JM Dick SC
Rachel Tierney	Associate to His Honour Judge MP Irwin (until 20 January 2014)
Jennifer Hewson	Associate to His Honour Judge ME Rackemann
Thomas Gardiner	Associate to His Honour Judge MJ Griffin SC
Brandon Hoffer	Associate to Her Honour Judge JA Ryrie
Teresa Jobberns	Associate to His Honour Judge IFM Dearden (Beenleigh)
Grace Devereaux	Associate to Her Honour Judge FY Kingham
Sinead Butler	Associate to His Honour Judge SG Durward SC (Townsville)
Claire Hockin	Associate to His Honour Judge AJ Rafter SC
James Feely	Associate to His Honour Judge TD Martin SC
Benjamin Buckley	Associate to His Honour Judge DG Searles
Hannah O'Connor	Associate to His Honour Judge GJ Koppenol (Ipswich)
Samuel Richards	Associate to His Honour Judge DC Andrews SC
Daniel Walsh	Associate to Her Honour Judge LJ Clare SC
Danielle Little	Associate to His Honour Judge WG Everson (Cairns)
Rachel Tierney	Associate to His Honour Judge B Butler AM SC
Sophie Harburg	Associate to His Honour Judge BG Devereaux SC
Eleanor Lynch	Associate to Her Honour Judge KM McGinness (Southport)
Victoria Apted	Associate to His Honour Judge KD Dorney QC
Kristy Bell	Associate to His Honour Judge RS Jones
Ella Thomas	Associate to His Honour Judge BA Harrison (Cairns)
Amy Stannard	Associate to His Honour Judge DA Reid
Nicholas Douglas	Associate to His Honour Judge JR Baulch SC (Townsville)
Brittany Smeed	Associate to His Honour Judge GP Long SC (Maroochydore)
Alice Pinkerton	Associate to His Honour Judge BW Farr SC
Damien Payard	Associate to His Honour Judge AA Horneman-Wren SC
Nathan Boyd	Associate to His Honour Judge PE Smith