Supreme Court of Queensland

Annual Report 2015 – 16

SUPREME COURT OF QUEENSLAND
CHAMBERS OF THE CHIEF JUSTICE

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28 October 2016

The Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice
Level 18, State Law Building
50 Ann Street
BRISBANE QLD 4000

Dear Attorney

I enclose my report, under s 19(1) of the *Supreme Court of Queensland Act* 1991, on the operation of the Supreme Court for the year ended 30 June 2016.

Yours sincerely

C. Holmes

Catherine Holmes
Chief Justice

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Chief Justice's Overview 2015-2016

Performance

The statistics contained in this overview pertain to the performance of the Supreme Court over the past year and have been collated on the basis of the requirements of the Commonwealth Productivity Commission in relation to its annual "Report on Government Services".

Disposition of Caseload

Trial Division

Criminal

On the criminal side, there were 1,712 lodgements. The trial division ended the year with 735 outstanding cases, having disposed of 1,484 matters (a clearance rate of 86.7%).

Of the outstanding cases, 12% were more than 12 months old (from date of presentation of indictment), and 2.4% more than 24 months old. Some of the last group would result from orders for re-trials made on appeal.

Civil

On the civil side, there were 3,028 lodgements. The trial division ended the year with 2,411 outstanding matters, having disposed of 3,134 matters (a 103.5% clearance rate).

Of the outstanding matters, 23.9% were more than 12 months old, and 7.6% more than 24 months old.

Court of Appeal Division

The Court of Appeal division disposed of 437 criminal appeals this year (323 last year), representing a clearance rate of 106.6%. As of 30 June, 225 criminal appeals awaited disposition (226 last year).

The Court of Appeal also disposed of 282 civil appeals (213 last year), with a clearance rate of 127%, leaving 104 outstanding at the end of the year (164 last year).

Overall

There are, in these statistics, some notable features. There has been a 35% increase in lodgements over the current reporting year, and it should also be noted that this occurs in the context of a more than 100% increase in lodgements over the last three years. The initial falling-off of cases which occurred as a result of the Moynihan reforms has given way to a steady rise in the following years. (That is despite no evident rise in offending rates; the obvious inference is that greater police numbers and greater efficiency in policing have led to an increase in the numbers of charges brought.) At the same time, the average length of trials has increased slightly.

Although the Trial Division presently has one fewer sitting judge than in earlier years, the number of finalisations has increased, through the skilful management of the criminal list and the hard work of the Judges. However, the clearance rate has fallen, inevitably given the rise in lodgement numbers, and can be expected to continue to do so. The number of civil matters is falling, but those which go to trial tend, as the result of the Moynihan reforms, to be more

complex than was previously the case, so there is no compensating diminution in the sitting time required for those matters. There are also corresponding demands on the Registry.

The increase in criminal lodgements and decrease in civil lodgements has also flowed through to the Court of Appeal, with a corresponding change in the ratio of civil to criminal appeals in its caseload. The Court is to be congratulated on the marked improvement in its clearance rates compared to the previous reporting year.

Rockhampton Courthouse

Other matters which warrant particular mention concern the Rockhampton Courthouse. It is in a poor state and requires repair to prevent water ingress. In addition to that concern, in February 2016 it was announced that a Federal Circuit Court judge would be appointed to Rockhampton and that she would use a courtroom and chambers in the Courthouse. That announcement was made without consultation either of me or of the Central Judge, despite my statutory responsibility under s 18 of the *Supreme Court of Queensland Act* 1991 for the control and management of the Courthouse.

Notwithstanding, all possible endeavours have been made to accommodate the judge. A courtroom has been made available for her sittings for sixteen weeks of the year; but that courtroom is also required for the use of visiting District Court judges, Magistrates and tribunals. Current and anticipated demands make it unlikely that any further sitting time can be facilitated without the building of an additional courtroom in the Courthouse. If any such building work is undertaken, it is important that it not encroach on existing facilities for State courts and tribunals.

Continuing Judicial Development

Supreme Court Orations were delivered in the Banco Court on 29 September 2015 by the Right Honourable the Lord Judge, on the subject: “Magna Carta: Destiny or Accident”, and on 13 June 2016 by the Honourable Dikgang Moseneke, Deputy Chief Justice of South Africa.

The Supreme and Federal Court Judges Conference was held this year in Brisbane from 23 to 27 January 2016, with speakers including Chief Justice Robert French AC and Chief Justice Sundaresh Menon of the Supreme Court of Singapore.

Chief Justice’s Calendar

Following my appointment on 9 September 2015, I sat in the various jurisdictions of the court, in and out of Brisbane: Court of Appeal (eleven weeks), the Criminal Court (one and a half weeks), Civil sittings (four weeks), Applications (two and a half weeks), Townsville (one week of criminal sittings) and Cairns (one week of criminal sittings). The balance of my time was allotted to the fulfilment of administrative and official responsibilities.

An important part of the Chief Justice’s role is meeting practitioners in Brisbane and around the State. In that connection I attended a number of functions and conferences organised by the Queensland Law Society and the Bar Association, both in Brisbane and in regional centres. In addition, I attended a number of functions organised by law schools, legal services, community organisations and volunteer groups.

I attended two meetings of the Council of Chief Justices of Australia and New Zealand, in October 2015 in Darwin and in April 2016 in Tasmania. I filled the role of Acting Governor on five occasions, for periods aggregating 33 days.

Admissions

There were eight admissions ceremonies at which I or the President of the Court of Appeal presided over the course of the year; and 950 new practitioners were admitted.

International Aspects

On 7 December 2015, I met Sir Salomo Injia, Chief Justice of Papua New Guinea, to discuss digitisation of court records.

Judicial Resignations and Appointments

The Hon Timothy Francis Carmody resigned as Chief Justice on 1 July 2015 and was appointed as a member of Queensland Civil and Administrative Tribunal (QCAT) as and from 2 July 2015.

I was appointed Chief Justice of the Supreme Court of Queensland as and from 11 September 2015.

The Hon Justice Philip Donald McMurdo was appointed a Judge of Appeal with effect from 13 November 2015.

Recognition

The Hon Tom Farquhar Shepherdson, a distinguished member of this court from 1982 to 2000, died on 27 October 2015.

The Hon Brian William Ambrose, a distinguished member of this court from 1985 to 2003, died on 31 December 2015.

Acknowledgement

I thank the Judges, officers of the Registry, the court's administrative staff, and the Director-General and his staff for their contribution to ensuring the effective discharge of the court's responsibilities for another year.

Profile of the Supreme Court

The Supreme Court comprises the Office of the Chief Justice and two divisions: the Court of Appeal Division and the Trial Division.

Judges of the Supreme Court

(listed in order of seniority)

Office of the Chief Justice

The Honourable Timothy Francis Carmody (resigned 1 July 2015)
The Honourable Catherine Ena Holmes (appointed 11 September 2015)

Court of Appeal Division

President

The Honourable Margaret Anne McMurdo AC

Judges of Appeal

The Honourable Justice Catherine Ena Holmes (until 11 September 2015)
The Honourable Justice Hugh Barron Fraser
The Honourable Justice Robert William Gotterson AO
The Honourable Justice Philip Michael Hugh Morrison
The Honourable Justice Anthe Ioanna Philippides
The Honourable Justice Philip Donald McMurdo (appointed 13 November 2015)

Trial Division

Senior Judge Administrator

The Honourable John Harris Byrne AO, RFD

Trial Division Judges

The Honourable Justice Roslyn Gay Atkinson AO
The Honourable Justice Debra Ann Mullins
The Honourable Justice Philip Donald McMurdo (appointed to Court of Appeal 13 November 2015)
The Honourable Justice James Sholto Douglas
The Honourable Justice Ann Majella Lyons
The Honourable Justice Alfred Martin Daubney
The Honourable Justice Glenn Charles Martin AM
The Honourable Justice Duncan Vincent Cook McMeekin (Central Judge)
The Honourable Justice Peter David Talbot Applegarth
The Honourable Justice Peter James Lyons
The Honourable Justice David Kim Boddice
The Honourable Justice Jean Hazel Dalton
The Honourable Justice David Octavius Joseph North (Northern Judge)
The Honourable Justice James Dawson Henry (Far Northern Judge)
The Honourable Justice David John Sandford Jackson
The Honourable Justice David Graham Thomas (President, Queensland Civil and Administrative Tribunal)
The Honourable Justice Peter James Flanagan
The Honourable Justice Timothy Francis Carmody
The Honourable Justice Martin Burns
The Honourable Justice John Kennedy Bond

Other Appointments

Mental Health Court

The Honourable Justice David Kim Boddice
The Honourable Justice Jean Hazel Dalton

Land Appeal Court

The Honourable Justice Peter James Lyons (Southern District)
The Honourable Justice Duncan Vincent Cook McMeekin (Central District)
The Honourable Justice David Octavius Joseph North (Northern District)
The Honourable Justice James Dawson Henry (Far Northern District)

Industrial Court

The Honourable Justice Glenn Charles Martin AM

Court of Appeal Division

Governance

Organisational Structure

The Court of Appeal hears appeals:[1]

- in criminal and civil matters from the Trial Division of the Supreme Court of Queensland;
- in criminal and civil matters from the District Court of Queensland;
- from the Planning and Environment Court;
- from the Land Appeal Court; and
- from other tribunals, principally the Queensland Civil and Administrative Tribunal (QCAT).

An appeal from the Court of Appeal to the High Court of Australia can proceed only by way of special leave so that for most cases the Queensland Court of Appeal is Queensland's final appellate court.

The President of the Court of Appeal is the Hon Justice Margaret Anne McMurdo AC. There are also five judges of appeal. During this year, they were:

- the Hon Justice Catherine Ena Holmes, who was sworn in as Chief Justice of Queensland on 11 September 2015;
- the Hon Justice Hugh Barron Fraser;
- the Hon Justice Robert William Gotterson AO;
- the Hon Justice Philip Hugh Morrison;
- the Hon Justice Anthe Ioanna Philippides; and
- the Hon Justice Philip Donald McMurdo, who was sworn in as a judge of appeal on 24 November 2015.

The Court of Appeal sat as a bench of three judges for 41 weeks during the year, as it did last year. The President and the judges of appeal together sat 197 individual judge weeks this year, [2] compared to 202 weeks last year.

The Chief Justice sat in the Court of Appeal, apart from admissions ceremonies, for 11 weeks this year compared to 5 weeks last year.

Trial Division judges sat in the Court of Appeal for 71 individual judge weeks this year compared to 73 weeks last year.

It remains desirable for the Chief Justice and the Trial Division judges to sit regularly in the Court of Appeal. The Court benefits from their experience, especially in trial work and sentencing, and could not dispose of its workload as efficiently without this assistance.

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1 Including applications and references.

2 This expression refers to every week an individual judge sits in the Court of Appeal.

Ms Tracy Dutton acted as senior deputy registrar (appeals)[3] until 14 December 2015 when Ms Janette Conway commenced acting in the role.

The following categories of matters were again heard with particular expedition this year when identified by registry staff:

- appeals concerning short custodial sentences;
- appeals by the Attorney-General of Queensland or the Commonwealth Director of Public Prosecutions against sentences where respondents have been released into the community;
- matters involving children;
- appeals against interlocutory decisions so that the determination of the principal action is not unnecessarily delayed pending appeal;
- pressing commercial disputes which have been dealt with expeditiously in the Trial Division's commercial list; and
- other matters where urgency is demonstrated.

Registry staff continued to identify at an early stage matters which were complex or where delay was a particular concern. These matters were case managed by the President or a judge of appeal to ensure timely disposition.

The President and the judges of appeal valued the high level of service provided by Ms Dutton, Ms Conway, appeals registry staff, associates and secretaries, all of whom have diligently served to the best of their ability and experience the public, the profession and the judges.

The President and the judges of appeal also valued the commitment and support of the Executive Director of the Supreme, District and Land Courts Service, Ms Julie Steel and her staff.

In hearings where security was an issue, the Court's protective service officers again assisted.

Human Resourcing Issues

There has been much more staff continuity in the registry this reporting year. This has reflected positively in the level of service provided to the judges and court users and has assisted in the timely disposition of the Court's work.

Auscript

The quality and turnaround times for delivery of transcripts remains satisfactory. As was the case for the last two reporting years, there has been no major delay in receipt of transcripts for preparation of appeal record books. When there is delay, Auscript notifies the appeals registry staff and the matter is monitored. Some matters are still transcribed incorrectly. When the accuracy of a portion of transcript is critical to a ground of appeal, it sometimes remains necessary for the judges to check the transcript against the original recording. On occasions, transcripts of appeal hearings are delivered outside Auscript's agreed timeframes. Overall, the performance of Auscript this reporting year was satisfactory.

[3] For administrative purposes within the Department, this role is known as acting team leader (appeals).

Performance

Disposal of Work

This year 632 matters were commenced in the Court of Appeal (410 criminal matters and 222 civil matters), up slightly from the 624 matters commenced last year (342 criminal matters and 282 civil matters). There has been a considerable increase in criminal matters and an equally noticeable decrease in civil matters. There are 329 active matters, a significant decrease from 390 last year, apparently attributable to the Court finalising 719 matters, a very significant increase from the 536 matters finalised last year. See appendix 1, table 1.

The Court's clearance rate of criminal matters increased this reporting year, from 94.44 per cent last year to 106.59 per cent. The Court's clearance rate in civil matters increased even more significantly to 127.03 per cent from 75.53 per cent last year. Overall, 87 per cent of Court of Appeal matters were finalised within 12 months of lodgement. See appendix 1, table 2. In all matters not finalised within 12 months of lodgement, the Court offered parties hearing dates during the year and the delay was occasioned at the request of one or both parties. Some delay in criminal matters was caused by the Legal Aid Queensland (LAQ) external review process pertaining to applications to LAQ where aid has been refused.

The median time for the delivery of reserved judgments in criminal matters was 70 days. In civil matters it was 95 days. Overall, the median time between hearing and delivery of reserved judgments was 85 days. See appendix 1, table 5.

The significant improvement in the disposal of work this reporting year is attributable to the hard work of judges, improved staff continuity in the registry and efficient listing and management practices.

Origin of Appeals

Filings from the Trial Division decreased noticeably this year in civil matters from 144 to 112 but increased noticeably in criminal matters from 77 to 117. Filings from the District Court also decreased noticeably this year in civil matters from 92 to 69 but also increased in criminal matters from 265 to 292. Planning and Environment Court filings decreased from 4 to 3. Applications and appeals, principally from QCAT, also decreased this reporting year from 42 to 38. See appendix 1, table 6.

Filings of general civil appeals also decreased noticeably this year from 137 to 99 and filings of civil applications similarly decreased, from 124 to 108. Filings of sentence applications, however, increased noticeably from 156 to 185 and filings of conviction only appeals also increased, from 64 to 88. Filings of combined conviction and sentence appeals marginally decreased from 43 to 40. Filings of sentence appeals brought by the Queensland Attorney-General and the Commonwealth Director of Public Prosecutions increased marginally to 6 compared to 3 last year and 16 in 2013 – 2014. See appendix 1, table 7.

During the reporting year there were 41 applications for special leave to appeal from the Court of Appeal to the High Court of Australia, 7 of which were granted.[4] See appendix 1,

[4] *Moreton Bay Regional Council v Mekpine Pty Ltd* [2015] HCATrans 270; *Robinson Helicopter Company Incorporated v McDermott & Ors* [2015] HCATrans 274; *Zaburoni v The Queen* [2015] HCATrans 298; *Lyons v State of Queensland* [2016] HCATrans 60; *Graham v The Queen* [2016] HCATrans 62; *The Queen v Baden-Clay* [2016] HCATrans 110; *Ainsworth & Ors v Albrecht & Anor* [2016] HCATrans 122.

table 10. The High Court delivered 4 judgments from the Court of Appeal this reporting year, allowing 3 appeals and dismissing 1 appeal. [5] See appendix 1, table 11.

Townsville Sittings

The Court of Appeal's northern **sittings** for 2016 was held in Townsville from Monday 30 May to Friday 3 June.

Five judges participated: the President, Justice Morrison and Justice Philippides from Brisbane, Justice North from Townsville and Justice Henry from Cairns. The Court heard four appeals against conviction, five sentence applications, one civil application, and one general civil appeal.

A total of 23 barristers, over one half of whom were regionally based, participated in the sittings (eleven or 47.8 per cent from Brisbane; seven or 30.4 per cent from Townsville; 2 or 8.7 per cent from Cairns; two or 8.7 per cent from Rockhampton and one or 4.3 per cent from Mackay). Of the 30 appearances by barristers, five (16.7 per cent) were female.

The judges also participated in a presentation for James Cook University students; the North Queensland Bar Association dinner; and the Far North Queensland Law Association welcome function.

Women Barristers in the Court of Appeal

The public, the legal profession, the President and the judges of appeal remain concerned about the under-representation of women at the Bar in Queensland.[6]

- This year, women counsel appeared in 19.7 per cent of all Court of Appeal appearances. This is a pleasing increase from 15 per cent last year and is approaching parity with their 21.9 per cent share of those members of the Bar with practising certificates.[7]
- Women counsel appeared in 28.5 per cent of criminal matters, compared to 19.8 per cent last year, and in 10.2 per cent of civil matters, compared to 9.4 per cent last year.

Self-Represented Litigants

Self-represented litigants generally place additional burdens on appeals registry and court staff as well as the judges.

The number of self-represented litigants in cases where judgment was delivered in the Court of Appeal this reporting year has increased from 82 matters last year to 94 matters this year. At least one party was self-represented in 41 civil matters in which judgment was delivered this reporting year (22.9 per cent), compared to 32 last year and 45 in 2013 – 2014. At least

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[5] *Moreton Bay Regional Council v Mekpine Pty Ltd* (2016) 90 ALJR 420; [2016] HCA 7; *Zaburoni v The Queen* (2016) 90 ALJR 492; [2016] HCA 12; *Robinson Helicopter Company Incorporated v McDermott* (2016) 90 ALJR 679; [2016] HCA 22; *Smith v The Queen* (2015) 255 CLR 161; [2015] HCA 27.

[6] See, for example, Kirby J 'The Future of Appellate Advocacy' (2006) 27 *Aust Bar Review* 141 at 155-159; Hunter, Prof R 'Discrimination Against Women Barristers: Evidence from a Study of Court Appearances and Briefing Practices' (March 2005) 12 *International Journal of the Legal Profession* 3.

[7] This includes both Class A and Class B practising certificates as at 11 August 2016. Class A practising certificates are those barristers in private practice. Class B practising certificates are employed barristers who have taken out practising certificates and include barristers in Crown Law, the Director of Public Prosecutions (Qld), the Director of Public Prosecutions (Cth), LAQ, Police Prosecutors, the Aboriginal and Torres Strait Islander Legal Service and academics.

one party was self-represented in 53 criminal matters in which judgment was delivered in this reporting year (24 per cent), compared to 50 last year and 77 in 2013 – 2014. See appendix 1, table 8.

Many matters involving self-represented litigants are finalised before the hearing. This reporting year 234 matters involving self-represented litigants were finalised either, before or after the hearing (37 per cent of matters lodged this year). This included 118 civil appeals (53.2 per cent of matters lodged this year) and 116 criminal appeals (28.3 per cent of matters lodged this year). See appendix 1, table 9.

QPILCH

The Queensland Public Interest Law Clearing House (QPILCH) and its Self- Representation Service (SRS) again provided valuable assistance to self-represented litigants in the Court of Appeal.

- SRS received 14 applications for assistance from potential and current litigants in civil appellate matters. Of these, 9 concerned potential appeals and 5 concerned current appeals.
- Of the current appellants, one obtained private representation and one could not be assisted because of shortage of time. Of the two who were advised they did not have promising prospects, one discontinued the appeal and the other was unsuccessful. SRS assisted one client to obtain a stay and the appeal is pending.
- Of the 9 potential appellants, one was helped by SRS to obtain legal representation through LAQ but has not commenced an appeal; two did not proceed after obtaining independent advice; and SRS advised six not to commence appeals. Of those six, one commenced an appeal which was dismissed; one commenced but later discontinued an appeal; and four did not commence appeals.

The President and the judges of appeal thank QPILCH, its director, Tony Woodyatt, SRS's solicitor, Iain McCowie, and SRS paralegal, Courtney Blomfield. Their invaluable service is viewed by other Australian jurisdictions as a model to be emulated. SRS assists not only self-represented litigants but also appeals registry and court staff, the judges and, indirectly, the broader community.

Self-Represented Success Rates

Once again, self-represented litigants had some success in the Court of Appeal. A total of 18.9 per cent of self-represented criminal litigants (compared to 24 per cent last year) and 4.9 per cent of self-represented civil litigants (compared to 9 per cent last year) were successful in their appeals. These figures continue to suggest a need for increased legal aid funding and pro bono assistance at appellate level.

Pro Bono Assistance

The Court of Appeal criminal law pro bono scheme, first established in 1999 – 2000, continued to operate this year. With the assistance of the Bar Association of Queensland and the Queensland Law Society, the scheme provided unrepresented appellants convicted of murder or manslaughter, juveniles and those under an apparent legal disability, with legal representation for their appeals. This year 12 appellants were assisted. The President and the judges of appeal thank the public-spirited barristers listed in appendix 2, particularly those called on during this reporting year.

Technology and Infrastructure

This year the Court heard 22 matters where at least one party appeared by video link, compared to 29 last year. The quality of these links remained variable. Problems continued again this year through sub-standard facilities at the other end of links, including in regional courts and correctional centres.

The acting senior deputy registrar (appeals) and her staff continued to provide record books in searchable electronic form to judges and parties.

Courts wi-fi was again available free of charge during the hearing of appeals in the Banco Court and in the Court of Appeal.

The President and the judges of appeal, whether in court, in chambers, or remotely, accessed computers for legal research, electronic record books and electronic transcripts of appeal hearings.

This year one appeal was prepared and conducted electronically: *Kitchen & Anor v Vision Eye Institute Limited & Anor*.

All Court of Appeal judgments delivered during this year were again available free of charge on the internet through:

- AustLII; and
- the Supreme Court Library website which includes:
    - a link to a database maintained by the Supreme Court Library containing selected High Court and intermediate appellate court judgments relating to the Criminal Codes of Queensland, Western Australia, Tasmania and the Northern Territory; and
    - a link to a database of civil appellate decisions of general interest to Australian intermediate appellate courts maintained on the New South Wales Court of Appeal web page but to which all intermediate appellate courts contribute.

The Court's research officer, Mr Bruce Godfrey, again coordinated the publication of Court of Appeal judgments, ensuring compliance with profuse and sometimes complex legislative naming prohibitions.

- Mr Godfrey arranged hard copies and electronic links to the judgments for all major Brisbane media outlets.
- He prepared judgment outlines which were:
    - published on the Supreme Court Library website;
    - distributed to interested Queensland judicial officers, the Queensland Law Society, and the Bar Association of Queensland; and
    - published in *Proctor*, the Queensland Law Society journal.

During the year, the President and judges of appeal were again assisted by the well-resourced judges' library.

Future Directions and Challenges

During the next reporting year, the President and the judges of appeal, with the assistance of the acting senior deputy registrar (appeals) and staff, plan to:

- continue to dispose of matters in the Court of Appeal in a timely way. This core goal can be met only with a high level of assistance from the Chief Justice and the judges of the Trial Division. The Court must also continue to be provided with sufficient resources to ensure:
    - the appeals registry has adequate numbers of properly trained and experienced staff and that staff turnover is kept to manageable levels;
    - the ageing Court of Appeal Case Management System (CAMS) is maintained and refined. CAMS remains in need of enhancement and is at risk of collapse. It has not had technical support for many years. Its statistical reports often require time-consuming manual checks and the use of inefficient and duplicitous 'satellite' systems to support its listing functions. It is unable to communicate with other court systems such as QCivil or QWIC. CAMS is not supported by documented manuals and desktop procedures. There is a risk to the Court's efficient operation in the event of collapse. As noted in the last two reporting years, the replacement or redevelopment of CAMS should be expedited with priority;
    - best practice in the development of electronic filing and document management, including outlines of argument with hyperlinks to relevant cases and transcript;
    - best practice in developing electronic appeal record books and in conducting electronic appeals;
    - functional video and audio links between the Court of Appeal and regional courts, correctional and other facilities; and
    - a properly resourced and current judges' library;
- continue to develop and refine best practice in the management of self-represented litigants, both in the registry and in court;
- continue to work with appeals registry and court staff to ensure that Court of Appeal courtrooms function optimally for the benefit of the public, the profession, other court users and the judges of appeal, particularly in eliminating auditory problems;
- celebrate the Court of Appeal's first 25 years; and
- provide a sittings during 2017 in Cairns.

These goals can be achieved only with proper resourcing of those agencies on which the Court of Appeal depends for its efficient performance, namely:

- court administration and particularly the appeals registry;
- the Director of Public Prosecutions (Queensland);
- Legal Aid Queensland;
- QPILCH and its Self-Representation Service (Court of Appeal); and
- the Supreme Court Library.

It is also critical that Auscript provides an accurate and timely court reporting service.

Appendix 1

Table 1: Annual Caseload: Number of Cases

	Lodged	Heard	Finalised*	Active (including reserved judgments not yet delivered)
Criminal	410	253	437	225
Civil	222	195	282	104
TOTAL	**632**	**448**	**719**	**329**

* Includes matters abandoned, withdrawn, discontinued, struck out or stayed

Table 2: Performance Indicators

	Clearance Rate %	% finalised within 12mths	% finalised >12mths old	% finalised >24mths old	% Active >12mths old	% Active >24mths old
Criminal	106.59	86.18	11.74	2.07	9.48	0
Civil	127.03	88.13	9.06	2.81	13.46	3.85
TOTAL	**113.77**	**87.00**	**10.61**	**2.39**	**10.71**	**1.19**

Table 3: Judgments, Criminal Matters

Judgments	2013-2014	2014-2015	2015-16
Outstanding at start of year	27	32	37
Reserved	215	177	177
Ex tempore judgments delivered	64	49	84
Reserved judgments delivered	215	175	193
Outstanding at end of year	32	37	30

Table 4: Judgments, Civil Matters

Judgments	2013-2014	2014-2015	2015-16
Outstanding at start of year	25	27	41
Reserved	155	138	145
Ex tempore judgments delivered	86	51	76
Reserved judgments delivered	153	122	155
Outstanding at end of year	27	41	44

Table 5: Time between Hearing and Delivery of Reserved Judgments

Type of cases	Median number of days		
	2013-2014	2014-2015	2015-16
Criminal cases	35	49	70
Civil cases	46	74	95
All cases	38	59	85

Table 6: Court in Which Matters Were Commenced

Court	Number of matters filed		
	2013-2014	2014-2015	2015-16
Trial division - civil	151*	144*	112*
Trial division - criminal	85*	77*	117*
District court - civil	67	92	69
District court - criminal	282	265	292
Planning and Environment Court	9	4	3
Other - civil (cases stated, QCAT, tribunals etc)	37	42	38
Magistrates Court - criminal	0	0	0
Other - criminal	0	0	1

* These statistics include Circuit Court matters.

Table 7: Types of Appeals Filed

Appeal type	2013-2014	2014-2015	2015-16
Civil			
General including personal injury	125	137	99
Applications	110	124	108
Leave applications	15	9	12
Planning and environment	9	7	1
Other	5	5	2
Criminal			
Sentence applications	161	156	185
Conviction appeals	71	64	88
Conviction and sentence appeals	39	43	40
Extensions (sentence applications)	35	14	20
Extensions (conviction appeals)	11	12	13
Extensions (conviction and sentence)	7	8	10
Sentence appeals(A-G/Cth DPP)	16	3	6
Other	27	42	48

Table 8: Matters Determined Where One or Both Parties Self-Represented*

Number of cases	2013-2014	2014-2015	2015-16
Civil	45	32	41
Criminal	77	50	53
TOTAL	**122**	**82**	**94**

* The above table represents final outcomes from the Court of Appeal, ie judgments delivered. In some matters there is more than one outcome. For example, when there are multiple parties in criminal matters, each party has a separate outcome, despite only one QCA number being allocated for the overall decision

Table 9: Matters Finalised Where One or Both Parties Self-Represented*

Number of cases	2013-2014	2014-2015	2015-16
Civil	109	68	118
Criminal	102	75	116
TOTAL	**211**	**143**	**234**

* Includes matters abandoned, withdrawn, discontinued, struck out or stayed.

Table 10: Applications for Special Leave to Appeal to the High Court of Australia

Criminal		Civil	
	2015-2016		2015-2016
Granted	3	Granted	4
Refused	14	Refused	20

Table 11: Appeals from the Court of Appeal to the High Court of Australia

Criminal		Civil	
	2015-2016		2015-2016
Allowed	1	Allowed	2
Dismissed	1	Dismissed	0

Appendix 2

Court of Appeal Pro Bono List for 2015-2016

Michael J Byrne QC	Carl Heaton QC	Kerri Mellifont QC
Peter Callaghan SC	Andrew Hoare	Peter Mylne
Craig Chowdhury*	Jeffrey Hunter QC	Peter Nolan
Anthony W Collins (Tville)	Mark Johnson	Gerard O'Driscoll
Michael Copley QC	Stephen Keim SC	Colin Reid
Graeme Crow QC (Rton)	David Kent QC**	Peter Richards
Patrick Cullinane (Mackay)	Tony Kimmins	Soraya Ryan QC
Peter Davis QC	Simon Lewis	Tim Ryan
Ralph Devlin QC	Dennis Lynch	Joshua Trevino (Cairns)
Tracy Fantin (Cairns)	Gregory Lynham (Tville)	Bret Walker QC
Tony Glynn QC	Eoin Mac Giolla Ri	Neville Weston
Mark Green	Donald MacKenzie	Elizabeth Wilson QC
John Griffin QC	Mark McCarthy	Simon Hamlyn-Harris
Frank Martin (Toowoomba)		

* His Honour Judge Chowdhury was commissioned a Judge of the District Court of Queensland in May 2016.

** His Honour Judge Kent QC was commissioned a Judge of the District Court of Queensland in March 2016.

Trial Division

The Work of the Trial Division

The trial division resolves matters commenced by indictment (in criminal cases), claim or originating application (in civil proceedings) by trial, hearing or consensus.

The Senior Judge Administrator is responsible for the administration of the trial division.

Criminal trials are usually heard with a jury. Civil cases are almost always determined by judge alone.

Criminal trials mainly concern murder, manslaughter and more serious drug offences.

In its civil jurisdiction, the Court deals with a wide range of cases, including contests about commercial matters, building and engineering contracts, wills and estates, conveyancing and insurance.

Trial division judges also sit on the Court of Appeal and the Land Appeal Court. Two judges serve on the Mental Health Court. Some judges act as members of bodies such as the Queensland Law Reform Commission. Many are involved with groups that have a responsibility for implementing procedures to improve the administration of justice, including the Rules Committee. A judge is President of the Queensland Civil and Administrative Tribunal.

The Structure of the Trial Division

The Court is divided into far northern, northern, central and southern regions, reflecting the decentralised nature of the State and its large area.

Most of the trial division judges are based in Brisbane in the southern region. That region includes Toowoomba, Maryborough and Roma.

The Central Judge resides in Rockhampton, where he presides at civil and criminal sittings. He also conducts sittings in Bundaberg, Longreach and Mackay.

The Northern Judge resides in Townsville. His region encompasses Mount Isa and Mackay.

The Far Northern Judge resides in Cairns.

In Townsville, Rockhampton and Cairns, a registrar and support staff assist the judges.

More than eighty percent of the workload arises in and around, and is dealt with, in, Brisbane.

Information about the organisation and practices of the trial division, including its calendars, law lists, fact sheets, Practice Directions, and reasons for judgment, are published on the Queensland Courts website: www.courts.qld.gov.au.

Developments

The rate of disposition of criminal cases remains a concern.

There were more trials and sentences this year than last. But the lodgments, recorded as number of defendants in the statistical tables, increased at an even greater rate.

This reflects a continuing trend.

There were 839 criminal lodgments in the 2012-13 year. In the three years since, the number has increased by more than 104 per cent.

Criminal Jurisdiction

This year saw a 34.9 per cent increase in finalisations by trial: from 43 defendants last year to 58.

The average length of a trial increased to 6 days.

Criminal lodgments increased by 35 per cent, from 1268 in 2014-15 to 1712.

There was a 30.6 per cent increase in finalisations, up from 1136 in 2014-15 to 1484.

The State clearance rate was 86.7 per cent (down from 89.6 per cent in 2014-15).

As at 30 June 2016, there were 735 active pending matters: an increase of 34.1 per cent since last year.

The proportion of active pending matters older than 12 months and less than 24 months increased by 48.9 per cent: by 23 cases from 47 to 70.

The number of active pending cases older than 24 months decreased by 11 cases, 37.9 per cent and decreased as a proportion of active matters, going from 5.3 per cent in 2014-15 to 2.4 per cent.

Summary of Activity on Criminal List - By Location

Centre	Number of defendants[1]			Clearance Rate %[2]	Backlog Indicator[3]	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Main centres						
Brisbane	1,300	1,034	633	79.5	13.0	2.7
Cairns	98	95	18	96.9	0.0	0.0
Rockhampton	87	70	19	80.5	0.0	0.0
Townsville	90	104	26	115.6	11.5	0.0
Main centre Totals	**1,575**	**1,303**	**696**	**82.7**	**12.2**	**2.4**
Regional centres						
Bundaberg	5	11	5	222.0	0.0	0.0
Longreach	-	-	-	-	-	-
Mackay	65	80	14	12.1	7.1	7.1
Maryborough	7	14	1	200.0	-	-
Mount Isa	4	8	2	200.0	0.0	0.0
Roma	-	-	-	0.0	0.0	0.0
Toowoomba	56	68	17	121.4	11.8	0.0
Regional centre Totals	**137**	**181**	**39**	**132.1**	**7.7**	**2.6**
State Total	**1,712**	**1,484**	**735**	**86.7**	**12.0**	**2.4**

Notes:

(1) 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.

(2) Clearance Rate: Finalisations/Lodgments.

(3) Backlog Indicator: the number active defendants with proceedings older than the specified time.

Civil Jurisdiction

Lodgments decreased this year by 73 (2.4 per cent), from 3103 in 2014-15 to 3028.

Finalisations decreased by 19, from 3153 during 2014-15 to 3134 (a decrease of 0.6 per cent).

The clearance rate increased from 101.7 per cent in 2014-15 to 103.5 per cent.

There was a decrease of 163 (6.3 per cent) in active pending matters (2411 at 30 June 2016, down from 2574 last year).

The number of cases older than 12 months and less than 24 months decreased from 438 as at 30 June 2015 to 393 (a decrease in the percentage of active pending matters of 10.3 per cent).

Cases more than 24 months old decreased by 1 in 2015-16, and stood at 184 cases at 30 June 2016.

Many claims are dealt with by registrars, which is one reason why a decrease in lodgments does not result in a corresponding reduction in judicial workloads.

Summary of Activity on Civil List - By Location

Centre	RoGS civil files			Clearance Rate[3]	Backlog Indicator[4]	
	Lodged	Finalised	Active		% > 12 mths	% > 24 mths
Main centres						
Brisbane	2,718	2,800	2,150	103.0	24.1	7.7
Cairns	69	68	53	98.6	28.3	11.3
Rockhampton	99	99	97	100.0	16.5	3.1
Townsville	78	108	56	138.5	25.0	8.9
Main centre Totals	**2,964**	**3,075**	**2,356**	**103.7**	**23.9**	**7.6**
Regional centres						
Bundaberg	9	7	6	77.8	16.7	0.0
Longreach	-	-	-	-	-	-
Mackay	43	46	37	107.0	27.0	10.8
Maryborough	-	2	-	0.0	0.0	0.0
Mount Isa	1	-	1	-	-	-
Roma	1	-	1	0.0	0.0	0.0
Toowoomba	10	4	10	40.0	30.0	10.0
Regional centre Totals	**64**	**59**	**55**	**92.2**	**25.5**	**9.1**
State Total	**3,028**	**3,134**	**2,411**	**103.5**	**23.9**	**7.6**

Notes:

(1) The RoGS unit of measurement for the civil jurisdiction is a case. Secondary processes such as interlocutory applications are excluded.

(2) The trial division also deals with matters which, for reporting purposes, have been grouped as non-RoGS civil, non-RoGS criminal and probate. RoGS files include claims in the majority of originating applications. Non-RoGS civil includes such proceedings as admission as a legal practitioner and appointment as a case appraiser.

(3) Clearance Rate: Finalisations/Lodgments.

(4) Backlog Indicator: the number active defendants with proceedings older than the specified time.

Civil Jurisdiction — Brisbane

Case Flow Management

Practice Direction No 17 of 2012 and its accompanying plain English guide continue to govern Case Flow management in Brisbane. Justice Atkinson, who had overseen the Case Flow List since its inception, passed that responsibility to Justice Daubney at the end of 2015.

Much of the work of the Case Flow list is done "on the papers", thereby minimizing the costs associated with personal appearances. Efficiency in this process, however, requires the co-operation of the parties' representatives and extensive input by the Case Flow Manager, the managing Judge's Associate, and by the managing Judge. The Case Flow process ensures that matters do not stagnate and that costs are minimised.

This year, 721 orders were made as a result of Case Flow reviews as opposed to 640 the previous year. Ongoing co-operation by parties has resulted in a satisfactory rate of consent orders in compliance with the practice directions. As a result, 415 (or nearly 60%) of the orders were made on the papers, without an appearance.

DPSOA

One or two applications for a continuing detention or supervision order, annual review of a detention order, or contravention of a supervision order under the *Dangerous Prisoners (Sexual Offenders) Act* 2003 are heard each Monday. Justice Mullins and Justice Burns manage the DPSOA matters and conduct the reviews that precede substantive hearings.

Commercial List

The Commercial List provides for the management and prompt hearing of proceedings involving issues of a commercial character. The current Commercial List judges are Justice Jackson and Justice Bond. Justice Bond replaced Justice Philip McMurdo as a Commercial List judge following his appointment to the Court of Appeal in November 2015.

A case is placed on the list if it is appropriate for inclusion, having regard to its nature, the issues in dispute and whether there are circumstances of urgency.

Until August 2015, the Commercial List was ordinarily reserved for cases having an estimated length of trial of 10 days or less. The maximum length of 10 days was removed by Practice Direction 17 of 2015 because the Court decided that longer cases suitable for management and determination according to the practices of this list should be covered. The expected length of the trial is nonetheless still a relevant consideration in deciding whether a case will be placed on the list.

A party wishing to have a case placed on the list files an application and supporting material by email, which includes a Commercial List Statement setting out the relevant matters. The two Commercial List judges alternate on a monthly basis to hear these listing applications. A case listed by one of the judges is managed by that judge, who makes directions and generally hears any contested interlocutory applications as well as the trial. Trial dates will be allocated when it is clear that remaining interlocutory steps will be completed by those dates.

The judges endeavour to provide early hearing dates for interlocutory disputes and trials. Priority is accorded to commercial list cases in the calendars for those judges.

Practitioners are encouraged to propose directions for the conduct of their cases which recognise the particular importance of expedition in the resolution of commercial disputes. Alternative dispute resolution in this list will be facilitated by the court, but on the footing that it should not significantly delay the progress of the case towards a final hearing and determination.

As at 30 June 2016, there were 75 cases on the list. During the prior year, 73 cases were added and 54 cases were resolved, of which 14 were disposed of after trial or by an adjudication. There were 234 interlocutory hearings (including listing applications, reviews and other interlocutory applications).

Supervised Case List and SRL Supervised Case List

The Supervised Case List provides for the judicial management of civil cases where the hearing is estimated to take more than five days or where supervision is needed because of the complexity of the matter, the number of parties or some other reason.

The List also supervises cases in accordance with Practice Direction 10 of 2014 where one or more of the parties is a self-represented litigant.

These lists were managed in 2015-2016 by Justices Applegarth, Boddice and Flanagan. In May 2016, Justice Boddice ceased his role when he assumed management of the Criminal List. The aim of supervision is to effect a just and timely resolution of disputes with the minimum commitment of resources by the court and litigants – saving time and reducing costs.

Cases are placed on the List at the request of one or more of the parties. They are also placed on this List at the court's initiative, as where a Judge conducting an interlocutory hearing sees the need for ongoing judicial management. Cases are also regularly referred to this List after Case Flow review. Many cases on this List fall within the general "commercial law" category. The cases cover a wide range of civil matters, including complex building and engineering claims, public liability and other insurance litigation, personal injury claims and defamation claims.

Cases in which a party is or becomes self-represented are placed on the List at the initiative of the Court. However, that does not ordinarily occur until at least one party has filed a defence or otherwise taken a step in the proceeding to oppose the granting of relief sought by another party. Self-represented parties are encouraged to take those steps they need to take before their matter is set down for trial.

The supervision of cases involving self-represented parties can be time-consuming for judges, in the conduct of reviews and in attending to email and other communications from self-represented parties. Many matters involving the self-represented may require more judicial supervision than more complex commercial litigation in which the parties are represented. Many cases involving self-represented litigants concern disputes with banks and other lenders in which pleadings are complicated, and self-represented litigants have difficulty in complying with court rules about pleadings.

The Court, self-represented parties and the justice system gain important support from QPILCH's self-representation service. Its contribution achieves efficiencies and saves court time and public resources.

Once a case on the List is ready for trial and has a trial plan, it will be allocated trial dates when they become available. Cases on the List compete with other cases for the allocation of available trial dates.

In the last few years, a number of different individuals have filled the role of Supervised Case List Manager. This resulted in Judges and their Associates assuming tasks formerly undertaken by the Manager. The List Manager is required to manage other lists. The appointment in June 2016 of Ms Jan Horton as Supervised Case List Manager should mark the beginning of a period of stability, which is essential for the efficient management of the List.

The Judges conducting reviews typically seek to ensure that all issues are identified by the pleadings; to ensure that substantial efforts are made to resolve the case, or, so far as possible, issues within it; to maximise the efficiency and utility of expert evidence at trial; and to see that matters are only given trial dates when there is a high likelihood that the trial will be able to start on the allocated date, and be completed within the estimated time.

Regions

Southern Region

Justice Peter Applegarth assumed management of the Southern region circuits in June 2015.

Central Region

The Central Judge is based in Rockhampton and is responsible for the work of the Court in Rockhampton, Bundaberg and Longreach. He shares the work of the Mackay region with the Northern and Far Northern Judges.

As in previous years, there has been no need to allocate any sitting time to Longreach. Eleven weeks were allocated to sittings in Rockhampton for civil work and eleven for criminal work. Five weeks were allocated to sittings in Mackay and four to Bundaberg. The Central Judge sat in in the Court of Appeal in Brisbane for three weeks.

Criminal lodgments in Rockhampton principally relate to drug offences. Two criminal trials were needed in Rockhampton: both homicide matters. Civil lodgments increased by 7.6 per cent this year.

As has been the practice for many years, parties are offered trial dates as soon as they indicate their readiness.

The contested work in Bundaberg and Mackay has decreased over the years and the full amount of time allocated was not required. One reason probably lies in the downturn in the mining industry, with consequential flow on effects through the economy. Despite that, the number of criminal lodgments in Mackay has increased from 28 to 65 i.e. more than doubled. Again, the bulk of the work relates to offences against the Drugs Misuse Act.

Application days were held in Rockhampton on an approximately six weekly basis with the number of matters heard at a fraction of the numbers of three and four years ago. On these days, ceremonies are conducted, if needed, for those seeking admission to the profession and who have a connection to Central Queensland. There were 16 such practitioners in 2015-16. Many of those continue to practise in the region.

Apart from work in court, the Central Judge speaks at legal conferences and to community groups.

While there have been welcome improvements to the technological equipment in court rooms throughout the Central Queensland area in the last few years, deficiencies remain. Unfortunately, problems with water entry into the Virgil Power Building in Rockhampton have worsened. This has been an ongoing issue for many years (the building was opened in 1998). Substantial rainfall in the mid-year saw water entry in various locations not seen before and at unprecedented levels. This is aesthetically unacceptable and unsatisfactory for staff and the public. The Department is applying what resources it can to resolve these issues.

In March 2016, a Federal Circuit Court judge was appointed to Rockhampton on a permanent basis. Previously the Court sat for seven or eight weeks of the year on circuit in Rockhampton, in a courtroom also used by visiting District Court judges, Magistrates and tribunal members. The time made available for the Federal Circuit Court sittings has been increased to 16 weeks.

Finally, Ms Fran Brown, the librarian responsible for the Supreme Court library in Rockhampton, retired during the year, after long service, with the best wishes of the Court and the profession.

Northern Region

The Northern Judge is responsible for the work of the court in Townsville and shares the circuit sittings in Mackay with the Central and Far Northern Judges and the circuit sittings in Mount Isa with the Far Northern Judge.

In Townsville, the Northern Judge conducted criminal sittings and civil sittings as well as on circuit. He sat in the Court of Appeal in its sittings in North Queensland in May and in Brisbane for three weeks. In addition, the Northern Judge sat in Applications jurisdiction on every Tuesday and Thursday during all sittings weeks in Townsville.

This year, the number of criminal lodgements in Townsville was comparable with the previous year and the clearance rate is pleasing. Overwhelmingly, criminal matters involved serious drug offences. This year, a feature of criminal sittings has been the number of adjudications by trial.

As with previous years, there was a decrease in the number of civil cases lodged (78 compared with 90 in 2014-15).

The Northern Judge continued the Court's involvement with the legal profession and its professional development. In May 2016, he attended the North Queensland Law Association's conference in Mackay where he assisted with the presentation at a session and was involved in other sessions. He attended a number of professional CPD seminars in Townsville and continued his involvement with the profession and law students at the James Cook University campus in Townsville with attendance at seminars and events.

Admission ceremonies were conducted throughout the year in Townsville. In all, 58 new lawyers were admitted (19 men; 39 women). Many of the admittees were graduates of the James Cook University but a significant number who had obtained degrees at universities elsewhere in Queensland were intending to further their careers in north or regional Queensland.

Far Northern Region

The Far Northern Judge sat at Cairns for 12 weeks in civil jurisdiction and 15 weeks in criminal jurisdiction. He sat at Townsville with the Court of Appeal in its one week northern circuit. He circuited to Brisbane for three weeks in the Court of Appeal, Mackay for four weeks and his two week circuit to Mount Isa finalised available work within the first week. He had six judgment writing weeks.

In Cairns, Applications days are conducted fortnightly and Applications mornings are conducted every Wednesday and Friday, ensuring that matters are disposed of promptly.

In the 2015-16 year, the number of matters lodged in the criminal jurisdiction increased to 98 from 82 last year. In the civil jurisdiction, lodgments decreased to 69 compared to 73 the previous year. The clearance rates were 96.9% in the criminal jurisdiction and 98.6% in the civil jurisdiction. These healthy clearance rates meant that there were no significant backlogs and parties were allocated hearing dates as soon as they were ready to proceed.

In conjunction with the Bar Association of Queensland and Queensland Law Society, the Court coordinated the Cairns Judiciary 2015/16 CPD Series – a series of professional development sessions delivered by Cairns resident Supreme and District Court Judges and

local barrister Andrew Philp QC. The Court also hosted a moot between local junior lawyers during Law Week.

During the year, 20 new practitioners were admitted: (7 men; 13 women). Most took up positions in the far north having completed law degrees at the Cairns campus of James Cook University. Links with legal education were maintained by the Court's support of the James Cook University law student mooting competition and its teaching support for the university's law subject, "*Advocacy and Criminal Sentencing*".

Land Appeal Court

The Land Appeal Court hears appeals from the Land Court and is constituted by a Judge of the Supreme Court and two Members of the Land Court, other than the Member whose decision is under appeal. It also hears appeals from the Land Tribunal established under the Aboriginal Land Act 1991. The Land Appeal Court has limited original jurisdiction under the Biological Control Act 1987 and the Foreign Ownership of Land Register Act 1988.

The Land Appeal Court sits at Brisbane, Rockhampton, Townsville and Cairns, the headquarters of the four Supreme Court regions in Queensland. From time to time, the Chief Justice nominates a Supreme Court Judge to act as a Member of the Land Appeal Court for the Southern Region. The Honourable Justice Peter Lyons was the Judge nominated for the 2015-2016 financial year. The Honourable Justice D V C McMeekin was the Member of the Land Appeal Court for the Central Region. The Honourable Justice D O J North was the Member of the Land Appeal Court for the Northern Region. The Honourable Justice J D Henry was the Member of the Land Appeal Court for the Far Northern Region.

A party to a proceeding in the Land Appeal Court may appeal from a decision of that Court to the Court of Appeal on the ground of error or mistake in law or jurisdiction. A further appeal could lie to the High Court of Australia, but only with special leave. There are very few appeals against the decisions of the Land Appeal Court.

Appeals to the Land Appeal Court are by way of rehearing, usually on the record of the Court below. The Land Appeal Court has power to admit new evidence, but only if the Court is satisfied that such evidence is necessary to avoid grave injustice and that adequate reason can be shown why the evidence was not previously given. By convention, the Supreme Court Judge Member presides, but all Members of the Land Appeal Court sit as equals and the decision of the majority is the decision of the Land Appeal Court.

There was one appeal lodged in the Land Appeal Court in 2015-16, compared to 3 appeals filed in 2014-15. The appeal related to land in the Southern District.

Nature of Appeals	2014-15	2015-16
Compensation (*Acquisition of Land Act 1967*)	2	1
Mineral Resources Act 1989	1	Nil

There was one application for leave to appeal filed in the Court of Appeal during the reporting period.

Court of Appeal Filing Date	2014-15	2015-16
Applications for leave to appeal to Court of Appeal	1	Nil

During the reporting period, special leave to appeal was granted by the High Court in the matter of *Moreton Bay Regional Council v Mekpine Pty Ltd*. On 10 March 2016, the High Court allowed the appeal, set aside the judgment of the Court of Appeal and, in effect, reinstated the decision of the Land Appeal Court (see [2016] HCA 7).

Executive Director's Overview

The Office of the Executive Director, Supreme District and Land Courts Service is responsible for the management and coordination of registry administration, as well as the provision of judicial support services for the Supreme Court throughout Queensland.

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

In addition to the Executive Director role, Ms Steel is the Vice President of Court Network, having been a Board member since 2011. She became the Vice President of Protect All Children Today in 2015, having been a Board member since 2014. Julie is an ex-officio member of the Incorporated Council of Law Reporting, and of the Legal Practitioners Admissions Board. She is also a member of the Public Records Review Committee at Queensland State Archives, and of the Supreme Court Library Committee, and 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 court processes 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 and
- performing all necessary administrative work associated with the criminal and civil jurisdictions of the court.

Permanent Supreme Court registries are located at Brisbane, Rockhampton, Townsville, and Cairns. A further 11 centres throughout the state are visited on circuit and local Magistrates Court registry staff perform the registry role in those centres.

Registrars within the permanent registries have the responsibility of determining certain applications without the necessity for judicial involvement. These applications include probate, letters of administration, winding up orders and default judgments.

The online *eSearch* facility was again used significantly during 2015-16, with over 3,300,000 online searches conducted.

Registry Workloads

Increasing criminal lodgements continue to present significant challenges to the registry and the court. During 2015-16, there was a state-wide increase of 35% in criminal lodgements (1,268 to 1,712). In Brisbane, the increase was 37.1%. The number of trials proceeding and average trial length also increased, respectively from 65 to 71, and from 5 to 6 days per trial.

In the civil jurisdiction, lodgements decreased by 2.4% across the state (3,101 to 3,028) and by 2.3% in Brisbane. However, that decrease was offset by the continued growth of probate applications, which increased by 3.7%, from 9,724 to 10,086.

Online Juror Questionnaires and Jury Management System

A notable milestone during the year was the transition to online juror questionnaires across the state. This saw a significant increase in prospective jurors completing their questionnaires online, from 15,000 in 2014-15 to 45,000 during 2015-16.

Complementing the online process was a suite of other enhancements, including updated information, factsheets and online videos on the Queensland Courts website at: www.courts.qld.gov.au/information-for-jurors, as well as a Practice Direction providing further guidance with respect to jurors seeking excusal from jury service.

Further improving the juror experience will be the new Jury Management System (JMS), which will become operational during the latter half of 2016. In addition to greatly assisting staff in the discharge of their duties, JMS will have many benefits to jurors, including:

- a public interface, where jurors can complete forms, update personal details, sign up for SMS messaging, and enter bank details;
- an integrated Interactive Voice Response service;
- the ability to pay jurors by Electronic Funds Transfer rather than cheque;
- the ability to notify jurors of court attendance via SMS text messages; and
- a greater sense of involvement in the process for jurors.

Court Network Volunteers

As always, I thank the Court Network volunteers for their invaluable contribution to the courts.

Court Network provides a range of support services to court users through its Court Network outreach and support services, and the Victim Support Unit. A team of 120 volunteers deliver these services in Brisbane, Cairns, Ipswich and Townsville, with coordination by a small number of support staff.

The volunteers provide court users with non-legal information, practical and emotional support, and advocacy and referrals to enable them to access justice. This also includes court tours, in-court support, assistance with completing forms and answering general inquiries.

Two core services are provided within the Brisbane Supreme and District Courts. An Information Kiosk and Justice of the Peace service on the ground floor is complemented by a 'Networker' program, which sees volunteers providing court users with the many forms of assistance referred to previously. During 2015-16, volunteers assisted 4,158 court users in Brisbane, 169 in Cairns and a further 369 in Townsville. Since the program commenced, in excess of 39,000 court users in Queensland have been assisted.

The Victim Support Unit provides coordinated cross-jurisdictional support for adult victims in the criminal justice system. The service is provided on a long-term or short-term basis and includes assistance to write Victim Impact Statements and Financial Assistance Applications in addition to pre, during and post-court support. During the year, 543 people were assisted in Brisbane and Ipswich over a combined 1,079 hours of service and since commencing in September 2013, almost 700 victims have been assisted.

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 efficiently 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.

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 Supreme Court judges and their support staff 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. The library also continues to service the Brisbane Court of Appeal library and chambers collections by undertaking regular maintenance of print subscription services and processing new acquisitions. In 2015–16 our combined print collection comprised over 160,000 items, with the library purchasing 248 new monographs during the year, and maintaining subscriptions to 441 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 2015–16 the library catalogue enabled access to more than 65,000 online full text titles, including 118 new online titles purchased by the library during the year. During 2014–15 and 2015–16 the library concluded negotiations for subscription renewals on behalf of the Courts. We agreed to new multi-year subscription agreements with the major legal publishers, which enable us to deliver a wider range of more relevant material (mostly in online and downloadable electronic form) to judges at no additional real cost to the Courts. During 2015–16 the library also negotiated expanded access rights for many library members to 138 of the most popular online publications as part of its Virtual Legal Library (VLL) offering to the legal profession.

The library provides a range of current awareness services to judges and their associates, including from 2015–16 the new improved *Judicial Daily Update* service, a daily news and current awareness newsletter tailored for the Queensland judiciary. It also publishes and distributes the *Queensland Legal Updater*, a weekly email bulletin designed to update legal professionals on changes to legislation and developments in case law relevant to legal practice in Queensland.

As the publishing arm of the Queensland courts, the library has maintained its commitment to timely 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 2015–16 the library published 4776 new decisions from Queensland courts and tribunals, including 346 judgments from the Court of Appeal and 317 from the Trial Division of the Supreme Court. During the year the library added to its collection of official unreported judgments the full set of electronic Land Court and Land Appeal Court of Queensland decisions from 1985. This brought the total number of full text Queensland decisions available from the library website to 35,652.

From 1 July 2013 all responsibility for provision and maintenance of the Queensland Sentencing Information Service (QSIS) was transferred to the library from the Department of Justice and Attorney-General (DJAG). In the three years since then, usage of the service has almost tripled. During 2015–16 usage of the service grew by 29 per cent, with the number of times it was accessed increasing from 497,894 in 2014–15 to 642,247 in 2015–16. In the course of the year subscriptions to the service increased by 48 per cent, from 279 to 417. QSIS is relied upon by prosecutors, defence and the judiciary to promote consistency and fairness in sentencing criminal offenders and is available to all judges and their associates.

Our library's websites are the primary means of accessing our information resources and services for the majority of our customers. In 2015–16 more than 6.5 million page views were recorded from the SCLQ website, JVL and library catalogue combined. Legal research tools developed by the library, 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 on the website. In all, CaseLaw services (including the official unreported judgments collection) recorded more than 4.7 million page views over the year. During 2015–16 the library continued to work with the Incorporated Council for Law Reporting to develop a jointly managed Queensland Judgments website to enable free public access to the reported and unreported decisions of the courts from early 2017.

Throughout the year 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 9744 information enquiries, comprising 4330 reference, 1607 research and 3807 document delivery requests. A total of 8739 documents were supplied in response to these queries. A well-received innovation during 2015–16 was the introduction of a weekly library afternoon clinic on level 15 of the QEII Courts of Law building to assist judges and their associates with their legal information needs.

Looking ahead to 2016–17, there will be a continued focus by the library on providing a high level of support to Queensland's busy judges and their support staff. 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. We also look forward to the introduction of the Virtual Legal Library service and the launch of the Queensland Judgments website, to enable improved legal information services to the Queensland legal profession and public.

Supreme Court Judges' Associates 2016

	Judge	Associate
Chief Justice	The Honourable Justice Catherine Holmes	Sam Wintergreen-Arthur
	Court of Appeal	
President	The Honourable Justice Margaret McMurdo AC	Marryum Kahloon
	The Honourable Justice Fraser	Courtney Coyne
		Natasha Purvis
	The Honourable Justice Gotterson AO	Morgan Windsor
	The Honourable Justice Morrison	Sian Littledale
	The Honourable Justice Philippides	Sam Walpole
	The Honourable Justice Philip McMurdo	Martin Rustam
	Trial Division	
Senior Judge Administrator	The Honourable Justice Byrne AO, RFD	Emily O'Connor
	The Honourable Justice Atkinson	Gabriel Perry
	The Honourable Justice Mullins	Hugh Hadgraft
	The Honourable Justice Douglas	Camille Boileau
	The Honourable Justice Ann Lyons	Mark Eade
		Hannah McAlister
	The Honourable Justice Daubney	Sophie Clarke
	The Honourable Justice Martin AM	Finian Cullity
	The Honourable Justice Applegarth	Jack Siebert
	The Honourable Justice Peter Lyons	Natasha Purvis
		Mohammud Jaamae Hafeez-Baig
	The Honourable Justice Boddice	James Andrews
		Tim Alexander
	The Honourable Justice Dalton	Daniel Thambar
	The Honourable Justice Jackson	Georgia Williams
	The Honourable Justice Thomas	Fiona Annetts
	The Honourable Justice Flanagan	Oliver Cook
	The Honourable Justice Carmody	Sam Weston
	The Honourable Justice Burns	Kate Gover
	The Honourable Justice Bond	Tristan Pagliano
	Regional	
Central Judge	The Honourable Justice McMeekin	Amy Arbuckle
Northern Judge	The Honourable Justice North	Lachlan Amerena
Far Northern Judge	The Honourable Justice Henry	Tim Grau