

DALET



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Courier Mail, 29/09/2008

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MTWTFS-

Recording troubles hit courts

Mark Oberhardt

QUEENSLAND'S judiciary and lawyers are becoming increasingly worried the court system's new digital recording setup is close to collapse.

The Justice Department has said there are problems with the multimillion dollar system but insists they will be rectified within months.

The system was designed to digitally record court proceedings, meaning shorthand-takers should become a thing of the past in Queensland courts.

However, it is understood more shorthandtakers have been employed in recent weeks to help cover for any lapse by the digital system.

Transcripts of court cases are vital because they are the official record of what goes on in the courtroom.

They are used in Court of Appeal cases, as references for precedent cases and, most importantly, so judges and legal teams can, overnight, review the day's proceedings in trials.

proceedings in trials.

However there have been repeated failures with the new digital system.

It is believed one was a recent attempted murder sentence delivered by the Chief Justice Paul de Jersey. The recording facility failed and there is now no record of the sentence hearing.

Court sources reported that some judges have taken up the problems with Justice de Jersey and the Chief Judge Patsy Wolfe expressing their



CONCERN ... Chief Justice Paul de Jersey.

concern the legal process could be hampered.

Other judges have openly criticised the recording failures.

A Justice Department spokesman said the department acknowledged there had been some performance issues and it was working closely with the service provider, DALET Australia, to enhance the system.

"That process should be completed within months,"

he said. "It (the recording system) has already delivered major benefits, including faster, more efficient transcription and ready online access to actual audio files."

The spokesman said that once the system had overcome the initial installation problems it would be a world-class asset for the Queensland justice system.

He said the judiciary was being kept informed of the situation...

Meeting Details		
Title	Digital Recording Issue's Meeting	
Time	10:00 (Closed 10:45)	
Date	07 October 2008	30424-G-
Location	SDC- IM office L5, LCC (District Court side)	

Attendees

Name	Position	Phone Number
Ashley Hill (AH)	JAG - Director, Supreme and District Courts Information Management	3247 4382
Bruce Hubert (BH)	JAG - Director, Court Technology Group	3234 1959
Annelise Blackburn (AB)	JAG - A/Recording Operations Manager	3109 9084
sch.4/3/2, sch.4/3/3 name, phone, commercial	DALET - Australia	

Apologies

Name	Position	Phone Number
	DALET - Australia	
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No.	Outstanding Action Points - (for review)	Responsible Person	Action Completion Date
1.13	MA-13 - "Time Sync" CA confirmed that Time Sync issue is creating delays and could be an impact on up to six (6) listed issues. AB has updated ITS with screenshots and will be working with ITS on a daily basis to get updates on progress. AH/BH stated it is a high priority that will be tracked by management to ensure JAG resolve the issue as quickly as possible.		
	20080909 — Discussion was around the maximum offset setting of 300 seconds and what is required to provide stability to the Dalet applications. AB – stated that DND1 can be out of time-sync with DND2 by up to 45 seconds within the 15 minute time-sync		



Meeting Details	
Title	Digital Recording Issue's Meeting
Time	11:00am (Closed 1:30pm)
Date	21 November 2008
Location	SDC- IM office L5, LCC

Attendees

Name	Position	Phone Number	
Ashley Hill (AH)	JAG - Director, Supreme and District Courts Information Management	3247 4382	
Bruce Hubert (BH)	JAG - Director, Court Technology Group	3234 1959	
Anthony Morrow	JAG - Manager Digital Recording Ops/R&D	3109 9684	
ch.4/3/2, sch.4/3/3 name, hone, commercial	DALET - Australia		
Annelise Blackburn (AB)	JAG - A/Recording Operations Manager	3109 9683	

Apologies

Name	Position	Phone Number
	DALET - Australia	

Meeting Details	
Title	Digital Recording Final Patch Review Meeting
Time	3:30pm (Closed 4:30pm)
Date	09 December 2008
Location	L1 BMC

Attendees

Name	Position	Phone Number
Bruce Hubert (BH)	JAG - Director, Court Technology Group	3234 1959
Anthony Morrow	JAG - Manager Digital Recording Ops/R&D	3109 9684
sch.4/3/2, sch.4/3/3 name, phone commercial	DALET - Australia	
Annelise Blackburn (AB)	JAG - A/Recording Operations Manager	3109 9683
	DALET - Australia	

Apologies

Name	Position	Phone Number
Ashley Hill (AH)	JAG - Director, Supreme and District Courts Information Management	3247 4382
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	Next Meeting – Date/Time/Location: (TBA) - SDC- IM office L5, LCC		
No.	No. Outstanding Action Points - (for review) Responsible Person Completion Date		



Meeting Details		
Title	Digital Recording Issue's Meeting	
Time	09:45 (Closed 11:00)	
Date	14 November 2008	
Location	SDC- IM office L5, LCC	

Attendees

Name	Position	Phone Number
Ashley Hill (AH)	JAG - Director, Supreme and District Courts Information Management	3247 4382
Bruce Hubert (BH)	JAG - Director, Court Technology Group	3234 1959
Anthony Morrow	JAG - Manager Digital Recording Ops/R&D	3109 9684
sch.4/3/2, sch.4/3/3 name, pho commercial	DALET - Australia	
Annelise Blackburn (AB)	JAG - A/Recording Operations Manager	3109 9683

Apologies

Name	Position	Phone Number
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DJAG QLD Project

Review Meeting 21/11/2008

Points for Review

Post this weeks review and discussion, it does appear that a number of these issues may not be software related and may be config/hardware/network based.

Issue resolution does not necessarily need to be in the form of a "patch" for all issues. If we can put the effort in in terms of continuing examination of the issues listed and identify hardware/infrastructure issues then we are still delivering a solution. This investigation can go into December and any solutions found tat involve installation config refinements will make the initial installation of the upgrade at the LCC all that more smooth.

There are 11 points, listed below, on which QLD expects answers. These do not constitute all known issues at QLD, and they do not see the resolution of these issues as the basis for final acceptance. Our immediate goal is the following:

- 1. Answering all 11 points.
- 2. Providing a new software version by the end of November (Monday, November 24 is the goal)
- 3. The new version will be installed on their test platform.
- 4. Following successful testing, it will be deployed on production sites. The inactivity of sites during the Holiday season at the end of December and beginning of January will be used as a one-time opportunity for tests. Failure to take proper advantage of that window of time, will be inexcusable in the eyes of QLD.

Dalet is currently considering options for on-site assistance, to be defined and scheduled.

These are the 11 points, including the QLD references:



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DJAG QLD Project

Review Meeting 14/11/2008

Points for Review

In addition to the Project Tasks Summary-:

In relation to items deliverable by the end of November 2008.

Of the tasks listed (not including those classed as "fixed" and "awaiting final testing"), there are currently



The importance of the resolution of these items within the November timeframe has been raised with R&D.

For each of these items reports/logs/dumps etc have been uploaded to IL and we are awaiting investigations/replies. I have been in contact with Anat over all (except 14B) of these during this week. An upload of incident report/example for item 14B occurred on 12/11 and follow-up will occur next week.

There are further items listed on the project schedule as requiring investigation etc and we will continue to progress actions against these.

The items listed above are seen as those that can most likely be resolved within the November timeframe.

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Meeting Details		
Title	Digital Recording Issue's Meeting	
Time	09:45 (Closed 11:15)	
Date	05 November 2008	
Location	L1 Meeting Room BMC	

Attendees

Name	Position	Phone Number
Bruce Hubert (BH)	JAG - Director, Court Technology Group	3234 1959
Anthony Morrow	JAG - Manager Digital Recording Ops/R&D	3109 9684
	DALET - Australia	sch.4/3/2, sch.4/3/3 name, phone,
Annelise Blackburn (AB)	JAG - A/Recording Operations Manager	3109 9683

Apologies

Name	Position	Phone Number
Ashley Hill (AH)	JAG - Director, Supreme and District Courts Information Management	3247 4382
Carlos Alves (CA)	DALET - Australia	

Minutes

Next Meeting –
Date/Time/Location: 11/11/08 - 10:00am - SDC- IM office L5, LCC



Meeting Details		
Title	Digital Recording Issue's Meeting	
Time	12:00 (Closed 13:30)	
Date	29 October 2008	
Location	LCC (District Court side)	

Attendees

Name	Position	Phone Number
Bruce Hubert (BH)	JAG - Director, Court Technology Group	3234 1959
Anthony Morrow	JAG - Manager Digital Recording Ops/R&D	3109 9684
sch.4/3/2, sch.4/3/3 name, phone commercial	DALET - Australia	

Apologies

Name	Position	Phone Number
Ashley Hill (AH)	JAG - Director, Supreme and District Courts Information Management	3247 4382
Annelise Blackburn (AB)	JAG - A/Recording Operations Manager	3109 9683
	DALET - Australia	
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Minutes

Next Meeting –
Date/Time/Location: 05/11/08 - 9:30am - SDC- IM office L5, LCC

Meeting Details	
Title	Digital Recording Issue's Meeting
Time	10:30 (Closed 11:30)
Date	23 September 2008
Location	SDC- IM office L5, LCC (District Court side)

Attendees

Name .	Position	Phone Number
Ashley Hill (AH)	JAG - Director, Supreme and District Courts Information Management	3247 4382
Bruce Hubert (BH)	JAG - Director, Court Technology Group	3234 1959
sch.4/3/2, sch.4/3/3 name, phone, commercial	DALET - Australia	
Annelise Blackburn (AB)	JAG - A/Recording Operations Manager	3109 9084

Apologies

Name	Position	Phone Number
	DALET - Australia	
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Minutes

Next Meeting –
Date/Time/Location: 30/9/08 - 10:30am - SDC- IM office L5, LCC (District Court side)

Minutes Digital Recording issues Meeting 20080923 (2).doc RTI 150991 :File 9 : Page no 1463

Meeting Details	Meeting Details	
Title	Digital Recording Issue's Meeting	
Time	10:30 (Closed 11:30)	
Date	16 September 2008	
Location	SDC- IM office L5, LCC (District Court side)	

Attendees

Name	Position	Phone Number
Ashtey Hill (AH)	JAG - Director, Supreme and District Courts Information Management	3247 4382
Bruce Hubert (BH)	JAG - Director, Court Technology Group	3234 1959
sch.4/3/2, sch.4/3/3 name, pho commercial	^{ne} ;DALET - Australia	

Apologies

Name	Position	Phone Number
	DALET - Australia	
Annelise Blackburn (AB)	JAG - A/Recording Operations Manager	3109 9084
	DALET - Israel	

Minutes

	Next Meeting – Date/Time/Location: 23/9/08 - 10:30am - SDC- IM office L5, LCC (District Court side)		de)
No.	Outstanding Action Points - (for review)	Responsible Person	Completion Date
1.13	MA-13 - "Time Sync" CA confirmed that Time Sync issue is creating delays and could be an impact on up to six (6) listed issues. AB has updated ITS with screenshots and will be working with ITS on a daily basis to get updates on progress. AH/BH stated it is a high priority that will be tracked by management to ensure JAG resolve the issue as quickly as possible.	CW BW	By 17/9/08
	20080909 – Discussion was around the maximum offset setting of 300 seconds and what is required to provide stability to the Dalet applications. AB – stated that DND1 can be out of time-sync with DND2 by up to 45 seconds within the 15 minute time-sync		

Minutes Digital Recording issues Meeting 20080916 (3).doc RTI 150991 :File 9 : Page no 1513

Meeting Details	Meeting Details	
Title	Digital Recording Issue's Meeting	
Time	10:30 (Closed 11:30)	
Date	09 September 2008	
Location	SDC-1M office L5, LCC (District Court side)	

Attendees

Name	Position	Phone Number
Ashley Hill (AH)	JAG - Director, Supreme and District Courts Information Management	3247 4382
Bruce Hubert (BH)	JAG - Director, Court Technology Group	3234 1959
Annelise Blackburn (AB)	JAG - A/Recording Operations Manager	3109 9084
sch.4/3/2, sch.4/3/3 name, phone, commercial	DALET - Israel	
Commercial	DALET - Australia	
Chris Crampton (CC)	JAG - ITS	
Bernard White (BW)	JAG - ITS	

Apologies

Name	Position	Phone Number	
	DALET - Australia		

Minutes

Next Meeting – Date/Time/Location: 16/9/08 - 10:30am - SDC- IM office L5, LCC (District Court side) PHONE CONFERENCE REQUIRED WITH DALET OFFICE IN SYDNEY			
No.	Outstanding Action Points - (for review)	Responsible Person	Action Completion Date

Minutes Digital Recording issues Meeting 20080909 (2) RTI 150991 :File 9 : Page no 1528

MEETING AGENDA



Project Name / CC:
DIGITAL RECORDING ISSUE'S MEETING

Meeting - Date / Time / Location:
03/09/08 - 10:30am - SDC- IM office L5, LCC (District Court side)

Meeting Type / No:
#1

Project Manager / Attendees:

Name

Position

Phone Number

	Name	Position	Phone Number
	Ashley Hill	JAG - Director, Supreme and District Courts Information Management	3247 4382
	Bruce Hubert	JAG - Director, Court Technology Group	3234 1959
	Annelise Blackburn	JAG - A/Recording Operations Manager	3109 9084
sch	n.4/3/3 name, phone	DALET - Australia	
		DALET - Israel	
		DALET - Australia	****

AGENDA		
1,	MEETING OBJECTIVES, BACKGROUND & APOLOGIES	
2.	Review action items from previous meeting	
3.	Scope of Work - Why are Dalet on-site	
4.	Agree on a regular time slot for subsequent meetings - proposed Tuesday mornings at 10:30am	
5.	Production of minutes and agreed turn around time for acceptance of the minutes	
6.	CTG and Supreme and District Courts Information Management Branch merger	
7.	Definition of roles for JAG staff and Dalet staff - team leaders, technical leads, etc	
8.	The role of Justice and Attorney-General Information Technology Services	
9.	Escalation methods	
10.	Issue classification method - per contract	
11.	Unique issue identifiers (there may be more than 1 bug per issue, or no bugs)	
12.	Review the list of issues and discuss the status of each and the priority that they should be worked on	

MEETING AGENDA - DR ISSUES RECTIFICATION 20080903.DOC

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13.	Time Sync
14.	DEP settings -
15.	New items
16.	General Discussion
17.	Next Meeting – Date/Time/Location

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17. Need Dec-link cords

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<u>Issues</u>

- 1. DR not operating as required. Direct impact on CTG (see 2) + SRB staff unacceptably high. Indirect impact on Judges + legal profession unacceptably high. Risk to JAG and Govt unacceptably high.
- 2. Finite DR maintenance and support staff are being inefficiently used on manual work arounds instead of maintenance and support, further increasing the likelihood of further systemic problems
- 3. Insufficient depth/capability in Digital team staff not taking leave, fatigue, single point/s of failure
- 4. The need to ensure that SDC services are delivered as efficiently as possible
- 5. Additional funding extremely unlikely

6. Some CTG roles are redundant Limited capacity to help Dalet. HW end of life!

Complicating factors

- 7. Need to manage the Out of session recordings issue with AG and Cabinet
- 8. Judges recognise enormous effort being made, however, they expect the system to be as reliable as the old solution and their patience is finite
- 9. CBRC expectations surrounding Video Conferencing
- 10.JAG expectations 08-09 projects CIMS enhancements, Electronic setdown, SRB eCommerce, eTrials, Future Courts Program, QCAT
- 11. Responsiveness of Dalet toward the end of the contract period
- 12. Govt policy to consolidate infrastructure support to CITEC
- 13. Presently delivering services out of 2 buildings

Opportunities

- 14. Consolidate functions helpdesk, systems, finance, systems
- 15. Some vacancies exist. Impact of not filling will vary.
- 16. Reduce complexity of task outsource functions admin/finance to CCS, hardware to ITS, SQL administration to ITS (though resources would follow functions)
- 17. Reduce complexity of task vary scope of existing services limit helpdesk support to applications only
- 18. Potential for mid-year budget bid to augment resources (what are the realistic chances of this?)
- 19.A combined response to DR risks (1) incorporating CTG, SRB and Judicary is more likely to succeed
- 20. Group could also offer civil support to QCAT
- 21.CAMS could be moved back to SDC

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Better customer service

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Timetable on influenceme The Control of the Co RTI 150991 :File 9 : Page no 1559

OPTIONS PAPER

Cost effective technical or administrative solution to out-of-session court recording

Background

- The Recording of Evidence Act 1962 allows the recording of legal proceedings in or before any court, justices, tribunal or judicial person. The Act also allows for the subsequent transcription of a record.
- The Act requires that, if a recording is made by mechanical means, it must be made under the supervision of or operation by a recorder. Recorders are appointed by the chief executive under section 6 of the Act.
- The recording of evidence and subsequent transcription under the Act in all courts and tribunals, except the Magistrates Court, is undertaken by staff from the State Reporting Bureau (SRB). In the Magistrates Court, the Bureau provides a transcription-only service and recording is undertaken by depositions clerks who are appointed as recorders.
- In the majority of Queensland Courts, audio recording of proceedings is now facilitated by a digital recording system. The roll-out of the digital system commenced in 2006. Digital audio recordings provide superior quality recordings than the cassette tapes previously used. They also allow easier transcription.
- The digital recording system operates via a networked computer in each courtroom. In Magistrates Courts these computers are operated by a depositions clerk. In most of the higher courts, the system is operated remotely by SRB staff via closed circuit television monitoring. SRB staff usually monitor up to three courts at a time.



Queensland is the only jurisdiction in Australia that uses this software for digital court recording. The majority of jurisdictions that have implemented digital recording use software provided by a company called "For the Record" (FTR). FTR is an Australian company and its software is

specifically designed for court and hearing audio recording. This software does not operate on the basis of a continuous recordings buffer.



- Some of these issues, along with the under-resourcing of SRB to meet service expectations, have impacted court hearings (for example, committals and appeals are not being listed in a timely manner given the delays being experienced in the provision of transcripts). The judiciary have also raised serious concerns about the digital recording system.
- Recently, there have also been requests made by persons, including a number of requests by officers from the Queensland Police Service, to obtain access to digital audio recordings during periods the court has been adjourned and is not in-session.
- The legal profession and media have expressed strong concerns about continuous recording and allowing access to recordings of private conversations while court is not in-session.
- The legal basis for continuous recording and access to out-of-session court recordings is unclear.
- No access to such recordings was, however, ever intended under the Recording of Evidence Act 1962. Under the Act, recordings and

transcripts are taken to be evidence of the matters contained within them. This evidentiary status is not appropriate where the court is not in-session and rules relating to the admissibility of evidence and other matters are not determined by the presiding judicial officer.

- Allowing access to the out-of-session recordings would necessitate court technical staff having to appear in court to secure admissibility of the recording as documentary evidence. It is not appropriate to have court staff placed in the situation of having to give evidence in court. In addition, the limited technical resource staff available to assist with digital recording would be further stretched by the burden of having to attend court as a witness.
- Further, access to recordings is not necessary as direct evidence of what
 occurs in a courtroom while the court is not in-session can be obtained in
 other ways, for example through a statement provided by a person present
 in the courtroom. Allowing applications for access would also increase the
 already stretched workload and resources of the SRB.

Following this advice and consultation with the Chief
Magistrate and the Department of Justice and Attorney-General's
Freedom of Information Unit, one of the applications by the QPS has been

granted. A number of applications and a request from an officer from the

 A Magistrate at Southport has also recently made an order that a particular out-of-session recording be kept after the 10-day period and provided to the Crime and Misconduct Commission (CMC) and Director of Public Prosecutions (DPP), if requested. The CMC subsequently requested a copy which has been provided in accordance with the Magistrate's direction.



DPP are pending.

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