



COURT OF APPEAL

Minutes of Meeting

**Of the Judges of the Court of Appeal, Supreme Court of Queensland
Held on Wednesday, 4 February 2015 at 9.00am
in the Court of Appeal Conference Room**

Present The President
 Holmes JA
 Fraser JA
 Gotterson JA
 Morrison JA
 Philipides JA

Apologies

By invitation: Tracey Dutton (for Items 1-5)

1. **Welcome to Philipppides JA**
 The President extended a welcome to Philipppides JA at her first Court of Appeal judges' meeting.
2. **Registry statistics for December 2014 and January 2015**
 The statistics were reviewed. They reveal a mild increase in listing but nothing that required further comment.
3. **Research officer's statistics for December 2014**
 Noted.
4. **QPILCH statistics for November and December 2014**
 Noted.
5. **Court of Appeal registry phone list and other usual numbers provided by Research Officer**
 Noted.
6. **Calendar changes. Memoranda from Chief Justice and Senior Judge Administrator attached.**
 Noted.

7. **Other Matters.**

Ms Dutton addressed questions concerning the operation of the Court of Appeal Registry. She referred to the fact that the Registry had lost an AO2 recently but a good replacement had been found. She was hopeful that there would be no more changes in staff. She said that matters had settled down in the Court of Appeal Registry, and she was optimistic that there would be a better performance going forward.

8. **Minutes of meeting of 3 December 2014**

Noted.

9. **Matters arising:**

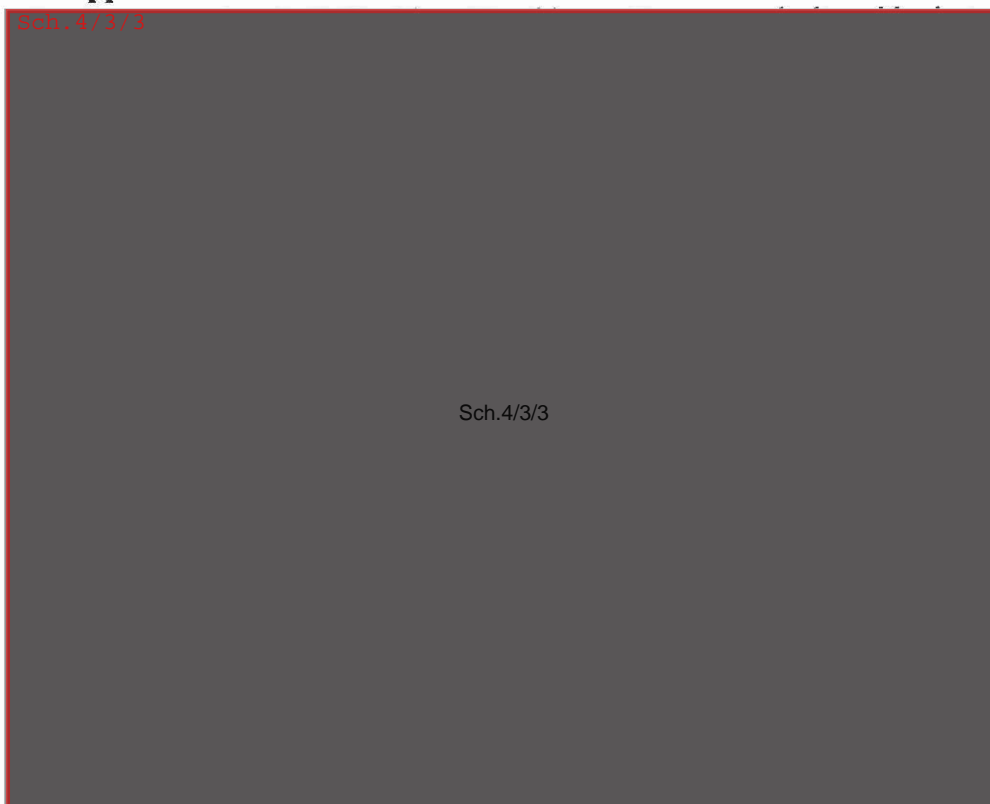
Attorney-General's response to the President's letter

Noted.

10. **Minutes of Trial Division Judges' Meeting December 2014. Memorandum from President and attachment.**

Discussion ensued about the proposed joint meetings of the Trial Division and the Court of Appeal, intended to be held on the second Tuesday of each month. Further discussion ensued as to the question of the Chief Justice's attendance. It was decided that the Chief Justice should be informed of such meetings, given notice of the meeting and that he would be welcome to attend. It was also decided that the agenda for those meetings would be prepared by the President and the SJA.

11. **Philippides JA's chambers. Relevant emails.**



12. **Phone numbers on registry emails. Memorandum from Research Officer and attachments.**
This item was related to item 5 and was noted.
13. **Memorandum from Philip McMurdo J touching on the publication of matters concerned s 13A *Penalties and Sentences Act* 1992 (Qld) in the Court of Appeal**
Discussion ensued as to the memorandum from Philip McMurdo J. Fraser JA referred to the recent experience in **Out of scope** where a self-represented prisoner was in custody, and the ways in which delivery of the confidential reasons to that prisoner were dealt with.
14. **Thank you note from John Muir**
Noted.
15. **Media changes. Email from Research Officer**
Noted.
16. **Productivity Commission report. Memorandum from Research Officer**
Noted. The memorandum highlighted the main findings of the report, which revealed a good performance on the part of the Court of Appeal.
17. **Mission Australia's Youth Survey 2014. Letter from State Director attached. Full copy available from the President.**
Noted.
18. **Undelivered Court of Appeal judgments and undelivered Trial Division judgments.**
The undelivered judgments were reviewed and were generally under control. ✓
Morrison JA was to check on the timing of **Out of scope**

19. **Leave Calendar 2015**
The President asked those present to check the professional development days, and requested that everyone put in dates for leave.

20. **Stay roster 2015**
The stay roster was noted. Philippides JA is to swap with Holmes JA in relation to May if Philippides JA takes leave in May.

21. **Other Matters**

IT matters. Memoranda attached. Fraser JA to report

Fraser JA referred to various outstanding matters concerning IT. He anticipated that it would be sorted out shortly. Issues discussed included the fact that dictation was taking some hours to download, with one problem being that the relevant server was located overseas, but would be relocated to Sydney in months to come.

Another issue mentioned by Fraser JA was the paucity of applications located on the Microsoft store section of the new system.

Another issue concerned access via iPads or home computers to the calendars, emails and H drive. Fraser JA pointed out that that access was available now, and those who wished it were to liaise with the IT staff. A further issue concerned the ability of the Court of Appeal judges to view exhibits consisting of CCTV or surveillance files. There was an issue as to whether these could be viewed on the judges' own computers. A temporary solution was to use the computer in the conference room.

The President raised the question of dictation emailed to PAs and the desirability of that dictation going to all PAs rather than just an individual judge's PA. It was agreed that all dictation should go to all PAs, but in the ordinary course it would be done by the PA allocated to the particular judge.

Holmes JA raised the question of the form of orders used in matters where there was an appeal against conviction in a case which in theory required leave to appeal under s 668D. She referred to the use of an order granting leave to appeal (although no such leave had in fact been sought) in two cases, **Out of scope** **Out of scope**. It has long been the practice in this Court that no formal application is required, the grant of leave is tacit and the orders made deal simply with the disposition of the appeal. It is unfortunate that inconsistency should creep in. Fraser JA referred to that matter being dealt with in **Out of scope**.

22. **Proposed joint meeting with judges of the Trial Division, 2nd Tuesday of each month?**
Agreed.

Next meeting: 4 March 2015