

MINUTES OF THE IFCE COMMITTEE MEETING

Monday, 2 March 2015, 1:00 pm

CONFIDENTIAL TO THE JUDGES

In attendance:

Carmody CJ, McMurdo P, Byrne SJA, Atkinson J, Mullins J and Jackson J

Agenda item 1 - Apologies:

There was an apology from McMeekin J

Agenda item 2 – Business arising from Minutes of 15 December 2014 meeting.

Item 2 – It was noted that the two Divisions are now also holding monthly meetings.

Item 4 – Jackson J reported that he had not yet progressed the proposal to remove the change of solicitors' offices from the mechanism of Practice Directions by providing for an alternative means.

Item 6 – Jackson J informed the meeting that the Executive Director, Julie Steel, had raised for discussion whether there should be a project for the development of electronic copies of files for Commercial List matters. The Executive Director is developing the proposal for consideration by a group of staff including the Commercial List judges. Discussion ensued about the implication of public on-line access to electronic copies of file documents.

Item 11 – Mullins J noted that there was a recent newspaper article about judicial accountability which bore upon the absence of a complaints policy.

Agenda item 3 – IFCE – summary of issues for court consideration

Each of the items was raised for discussion and comment as thought appropriate, including the following:

Item 1 – no comment

Item 2 - noted. The committee noted that the provision of the Focus Group papers to the Judges was sufficient at this stage for information to the Judges.

Item 3 – no comment

Item 4 – no progress yet on review of civil Practice Directions. Progress would depend on resourcing for the Judges. The Courts Listing and Support proposals are noted including the electronic file proposal for Commercial List cases as a pilot.

Item 5 –Further input would be for the regional Judges.

Item 6 – see business arising from minutes item 6 above.

The transition to the Windows 8 platform has proceeded and is being worked through.

It was noted that no lunch-box training sessions for Judges are presently proposed.

Otherwise, no comment at this stage.

Item 7 – noted.

Item 8 – the Equal Treatment Benchbook is being revised. Progress depends on the available time of the Judges.

The Supreme and District Court Benchbook revision committee meets to review the benchbook. Burns J has been appointed to the committee.

Item 9 – Fraser JA has advised that the Library may be able to host or develop a Supreme Court website, depending on funding availability. Atkinson J will approach the Library to develop and cost a proposal.

Item 10 – Public Information Officer. The proposal is supported but would await funding.

Item 11 – see business arising from the minutes item 11

Item 12 – The Focus Group papers inform as to governance, budget and business plans.

Item 13 – appointment of the Resolution Registrar is supported as the priority project. Discussion ensued as to the type of candidate suitable for such an appointment.

Agenda Item 4 – Administrator Engagement

It was agreed that the Executive Director be invited to the next meeting.

Agenda Item 5 – Resolutions Registrar

See summary of issues for court consideration item 13.

Agenda Item 6 – General business

None

The meeting closed at 1:45 pm.

The next meeting is to be held on Monday 13 April 2015 at 1:00 pm

CONFIDENTIAL TO THE JUDGES

MINUTES

TRIAL DIVISION JUDGES' MEETING

4 March 2015, 9:00 am

Chair Byrne SJA

Attendees Atkinson J
Mullins J
P McMurdo J
Douglas J
A Lyons J
Wilson J
Martin J
Applegarth J
P Lyons J
Dalton J
Jackson J
Flanagan J
Burns J

Apologies Daubney J
McMeekin J
North J
Henry J
Thomas J

1. Performance

The monthly statistics, including those concerning reserved judgments, were tabled. The Judges with judgments reserved beyond the three months protocol period reported on progress.

2. Reasons for Judgment - filing

Email correspondence was tabled regarding the desirability of reasons for judgment and sentencing remarks being placed with the file, and the means by which that might be achieved. A sub-committee is established, comprising Byrne SJA, Mullins J and P McMurdo J to liaise with the Executive Director on this issue.

3. Meeting with the Attorney-General

Byrne SJA reported regarding his meeting with the President and the Attorney-General on 20 February.

The Attorney-General has accepted an invitation to attend the joint meeting of both Divisions at 9:00 am on 10 March 2015.

4. Calendar arrangements

The typical allocation of five weeks judgment writing time per judge per half year was discussed. All agreed that there should be no reduction in this allocation, it being recognised that that five weeks is generally required and used.

5. Justice Wilson

Byrne SJA observed that this would be the last occasion on which Wilson J would attend a scheduled meeting of the Trial Division, given his pending retirement. Byrne SJA expressed his appreciation to Wilson J, noting that his combination of learning, judicial skills, temperament and diligence had made him a delight to have on the Court, and that he will be greatly missed.

It was agreed by all at the meeting that a valedictory ceremony for Wilson J should be held by the Trial Division at 9:15 am on 27 March 2015, to be presided over by the SJA. The Chief Justice and the Judges of Appeal are to be invited. Byrne SJA is to write to the Chief Justice seeking approval for the ceremony to be held in the Banco Court.

6. Retired Judges' Luncheon

The lunch for the retired Judges should return to its traditional scheduling: in November – commencing November 2015.

7. Other business

Jackson J will meet with the Registrar this Thursday to explore trialling electronic file scanning (to enable searching) and allied initiatives for cases on the Commercial List.

The meeting closed at 9:32 am.

BYRNE SJA

CONFIDENTIAL TO THE JUDGES

MINUTES

**MEETING OF THE JUDGES OF BOTH DIVISIONS
OF THE COURT**

Common Room, 10 March 2015, 9.00 am

Chairs McMurdo P and Byrne SJA

Attendees Carmody CJ
 Holmes JA
 Gotterson JA
 Morrison JA
 Philippides JA
 Atkinson J
 Mullins J
 P McMurdo J
 Douglas J
 A Lyons J
 Daubney J
 Martin J
 P Lyons J
 Wilson J
 Boddice J
 Dalton J
 North J (by video link)
 Jackson J
 Thomas J
 Flanagan J
 Burns J

Apologies Fraser JA
 McMeekin J
 Applegarth J
 Henry J

1. Attorney-General and Minister for Justice and Minister for Training and Skills

The Honourable Yvette D’Ath MP, Attorney-General and Minister for Justice and Minister for Training and Skills, attended the meeting and was formally welcomed by the President. The Attorney addressed the meeting regarding

the approach she intended to take in the discharge of her portfolio responsibilities and, after doing so, left the meeting.

2. Judges' Seminar – Question Trails

Martin J provided an update concerning the seminar to be held on Friday, 24 April 2015. Two judges from New Zealand with experience with integrated question trails will attend. A Lyons J advised that counsel in trials listed for that week have been advised that the Court would not be sitting on 24 April.

3. Electronic Publication of Court Proceedings Committee

The President updated the meeting regarding the work of the Electronic Publication of Court Proceedings Committee. Papers had been circulated with the agenda. The link for the folder created as the repository for documents generated or collected by the Committee appears on the last page of the papers. Discussion ensued, which included Martin J mentioning a short documentary series produced by BBC4.

Applegarth J (with the assistance of Fraser JA's associate while Fraser JA is on long leave) is working towards an issues paper.

Committee members were commended for their work.

4. Retired Judges' Lunch

The Trial Division proposed that the lunch for retired Judges should return to its traditional scheduling in November – commencing November 2015. This is agreed.

5. Transcription of Summing Up

The President referred to the practice that the parties were not provided with a transcript of the summing up unless an appeal against conviction is filed. At the recent BAQ conference, a barrister had asked if the judges would reconsider this.

It was decided that, for a trial period of twelve months, a transcript of the summing up would be revised, if requested. The President will write to the Chief Judge to advise him of this trial.

6. International Women's Day

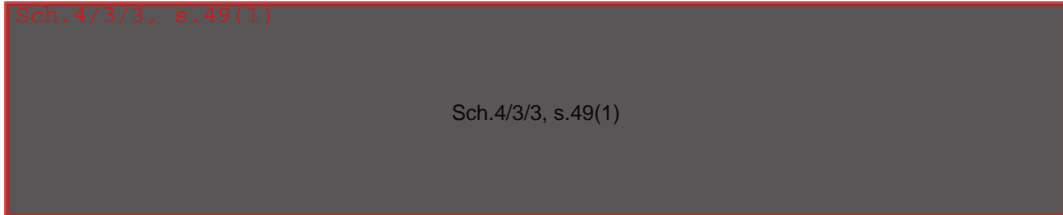
The President thanked those who contributed to the success of the bake off held on 8 March, particularly the associates and secretaries who baked. \$250 was raised for the Women's Legal Service.

6. Building Security Manager

Byrne SJA suggested that the new Security Manager, Mr Billy Campbell, be invited to the next meeting to discuss security matters, including home security. That was agreed.

7. Other Business

Sch.4/3/3, s.49(1)



Sch.4/3/3, s.49(1)

McMURDO P

BYRNE SJA