



SUPREME COURT  
OF QUEENSLAND

# **REVISED AGENDA**

## **TRIAL DIVISION JUDGES' MEETING**

**3 December 2014, 9.00am**

**CONFIDENTIAL TO THE JUDGES**

**For discussion**

1. **Apologies**
2. **Performance – each Division**  
Monthly statistics – including reserved judgments
3. **Distribution of papers and minutes of Focus Group Meetings**
4. **Serious drug offence certificates (Mullins J)**
5. **Benchbook revision (Martin J)**
6. **Court seminar on jury question trails (Martin J)**
7. **Jurors' video**
8. **Court of Disputed Returns – appointments for 2015**
9. **Arrangements for contacting the Duty Judge – Judge's phone number for Security?**



**Confidential**  
**Agenda for Judges' Meeting**  
**Wednesday, 3 December 2014**

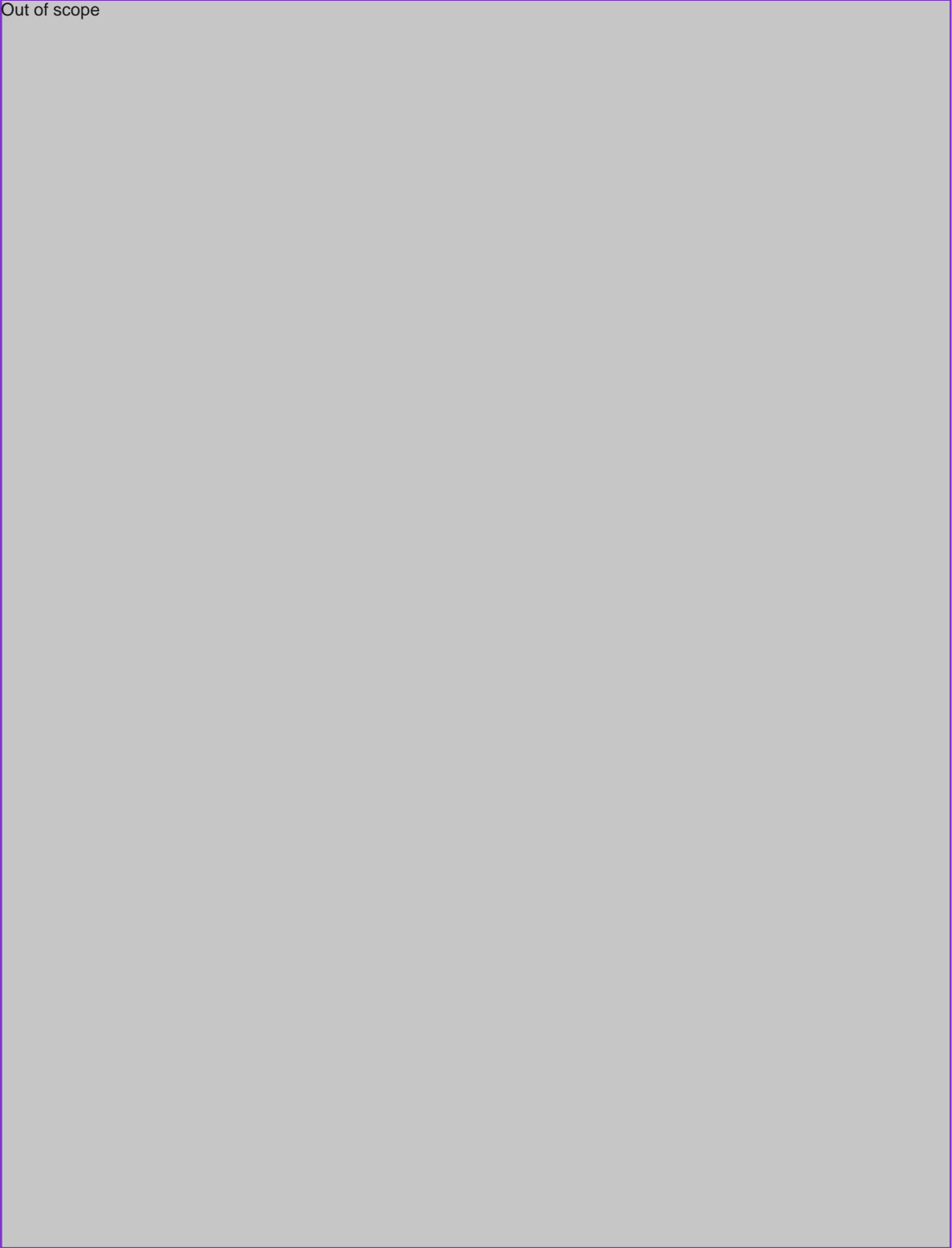
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10. Assistance Program for the Judiciary – brochure distribution
11. Judges' committee on broadcasting court proceedings (Atkinson J)
12. IFCE Committee – update
13. Queensland Courts website
14. Delayed Notification Search Warrant Scheme (Atkinson J)
15. General business.

**CONFIDENTIAL TO THE JUDGES  
MINUTES OF TRIAL DIVISION JUDGES' MEETING**

**3 December 2014**

Out of scope



**Item 8 – Court of Disputed Returns – appointments for 2015**

Boddice J and Dalton J are proposed for the Court of Disputed Returns next year.

## Queensland election 2015: Chief Justice Tim Carmody to play role in deciding Ferny Grove

Amy Remeikis

Published: February 10, 2015 - 11:35AM

Chief Justice Tim Carmody will play a role in determining the outcome of the disputed Ferny Grove electoral result.

The Electoral Commission of Queensland has already announced it will refer the Ferny Grove situation to the Court of Disputed Returns, as soon as the writ is returned, to determine if it is a valid result.

Under the Electoral Act, a single judge may "constitute, and exercise all the jurisdiction and powers of" the court, although it is understood two judges are considered preferable.

The Chief Justice may elect to be the single judge, or appoint another Supreme Court judge to act in his place.

A spokesman for Justice Carmody said "he will consider the issue if and when it arises". Justice Carmody was appointed by the Newman Government amid a sea of controversy, with many protesting against what they saw as his close association with the government. He has always maintained his independence.

I will update [@OldGovernor](#) on current situation this morning [#qldpol](#) — Campbell Newman ([@theqldpremier](#)) [February 9, 2015](#)

Both major parties are sweating on the Court of Disputed Returns decision in regards to Ferny Grove, as it could prove an election turner, if it was declared invalid, sparking a by-election.

The Palmer United candidate, Mark Taverner was found to be an undischarged bankrupt and therefore ineligible for standing for office. For the first time in modern political memory, a seat is being disputed before it has been declared, creating what is thought to be a new situation for the court.

If Mr Taverner's votes were found to have affected the election outcome, a by-election could be ordered for the electorate.

The LNP would need to win the by-election to have any hope of governing. That result would leave both parties with 43 seats each, leaving the two Katter MPs, who on Monday released a wish list of 21 demands for their support, with the balance of power.

The list includes key Katter Australian Party policy platforms - such as an ethanol mandate, road upgrades and an inland highway and the removal of flying foxes - as well as electorate sweeteners like a Mt Isa copper smelter and the banning of 100 per cent fly-in-fly-out mining projects.

"Let's not pussyfoot around, let's get in there and that's why we're setting up this action council, this is why we're working to make this happen," Mr Knuth said on Monday.

The MPs have not announced who they would support, but are tipped to be leaning towards the LNP.

On the current expected result, Labor would have 44 seats to the LNP's 42. With the support of Sunshine Coast independent Peter Wellington, Annastacia Palaszczuk could form government, if the Governor agrees, but the LNP, under Lawrence Springborg, is putting up resistance, claiming the caretaker government should continue until the Ferny Grove situation is resolved.

"All we are saying is that it is very, very unclear at this stage if there is a way forward because whatever happens one way or the other, Ferny Grove is going to be crucial in deciding whether one side or the other is going to be able to sustain a majority in the government," Mr Springborg said.

Ms Palaszczuk said she was ready to visit Government House as soon as the results were officially declared.

"I have been very calm over the last week since the last election. We only have a few more days to go, but I am up for the challenge," she said.

"I am confident that I am forming government in this state and I want to thank the people of Queensland for the support they have shown me during the election campaign and I will make sure I live up to their expectations each and every day."

But that could still be days away – a spokesman for the Electoral Commission said it hoped to have all seats declared by the end of the week, but said it was "unlikely" counting in all electorates would be finalised by Tuesday, as previously thought. Chief Justice Carmody will play a role in determining the outcome of the disputed Ferny Grove electoral result.

*This story was found at: <http://www.brisbanetimes.com.au/queensland/queensland-election-2015-chief-justice-tim-carmody-to-play-role-in-deciding-ferny-grove-20150209-13a5fw.html>*

»The corruption in Qld is blatant and in your face.«

»»

Candy | February 10, 2015, 7:20AM

»»

»With the innuendo of the association that Justice Carmody has with the LNP it would not be in his best interest to reside over such a case, because if it was found to be in favour of the LNP. Can you imagine the legal president this could cause to happen within the justice system. More interesting time ahead for Queensland.«

»»

Mike D | February 10, 2015, 7:25AM

»»

»Carmody to play a role?? And who is going to keep the chief justice honest and impartial? His track record is hardly brilliant so far, is it?!»

»»

Chris R | February 10, 2015, 7:31AM

»»

»With Carmody's involvement I can see this going all the way to the High Court.«

»»

chas | forest lake February 10, 2015, 7:41AM

»»

»Borg - the tribe has spoken. You are the weakest link. You are not the Premier.«

»»

Borg 3.0 | February 10, 2015, 7:46AM

»»

»The chickens are going to come home to roost for the LNP now for sure. Carmody will now pay them back for his elevation to the top.«

»»

sCOTTY p | bRISBANE February 10, 2015, 7:51AM

»»

»Given Tim Carmody's controversial appointment by the LNP, he should not be the sole judge to interpret the legal matters in regard to the result in Ferny Grove.«

»Before a bi-election is called the preference flows from the disqualified candidate need to be counted separately to determine the final 2 party preferred effect that his standing had on the final result. Even though he received 985 1st preference votes, the 2nd, and 3rd preferences will have flowed to either Labor or LNP. It is only where he received a 1st preference only and no further preferences were on the ballot paper that the final 2PP result can not be determined. Labor is currently 414 votes ahead of the LNP. So if the disqualified candidate received less than 414 1st preferences only and no further preferences were on the ballot paper then the final result is not in dispute.«

»»

Glynn | Ferny Grove February 10, 2015, 7:53AM

»»

»Well you can't accuse the LNP of not having foresight :(«

»We really are in #HereWeJohAgain territory, instead of a Gerymander we have gaming of the system itself to ensure you stay in power, no wonder Springborg was so confident yesterday. I could not work that out, been reading all the Constitutional experts in regard to the Electoral Act in Qld & didn't see how Springborg could carry on with his Caretaker Govt forever type line. Guess we know now :(«

»Can almost guarantee now that there will be a by-election in Ferny Grove - even though most experts say would not be required - and anyone want to take odds that by-election will be delayed as long as possible to LNP have chance to do a "OMG chaos & uncertainty" campaign to ensure they take that seat, as we know, punters get scared easily...«

»Oh well, maybe next election we can get some 'Accountability' in Queensland :(«

»»

Noely | Sunshine Coast February 10, 2015, 7:57AM

»»

»Based on current counting the elected member will be Labor's Mark Furner. Mr Furner will have the rights and privileges of all duly elected members of parliament.«

»Resolving the Ferny Grove matter could take several months based on past Court of Disputed Returns cases, and there is nothing to stop a new government being formed in the mean time.«

»Professor Graeme Orr's book "The Law of Politics: Elections, Parties and Money in Australia" (Federation Press, 2010) tells us "It is fundamentally important to understand that the challenge is to the outcome of the election. That is, while the argument may be about the process of the election - the campaign, the polling or the counting - it is only the result of the election that can formally be challenged by petition.«

»The petitioner has to show that an error in the election process would have affected the result on the balance of probabilities.«

»So why is it taking all this week to count a few hundred votes?«

»»

Candy | February 10, 2015, 8:01AM

»»

»Let's hope whatever happens it is transparent. Given the circumstances around Carmody's appointment it appears the stench of the Newman government may linger a while longer. Surely an honorable man would remove himself from such proceedings given the gravity of them.«

»»

Mrfunbro | February 10, 2015, 8:01AM

»Carmody could almost clear the air if he sides with Labor on this one. He would instantly be seen by Labor as fair and unbiased, and the LNP would not have an argument as they hand picked him. It will be interesting to wait and watch the next chapter of this wonderful soap opera.«

Scotty | February 10, 2015, 8:02AM

»So, the CJ will now have a role to play in deciding an issue of intense interest to the LNP. Presumably ( hopefully), he will understand that the apprehension of bias would disqualify him from sitting on this issue himself . . .won't he?«

And Here We Are.. | Logan February 10, 2015, 8:04AM

»If Ferny Grove is declared for Labor then Annastacia along with the support of the ALP clone Wellington is entitled to govern. The LNP is looking increasingly desperate and is showing an unbecoming aversion to gracefully accept that they lost the election. It is more a case of Lawrence clutching on to the keys than Anna trying to snatch them.«

observer | February 10, 2015, 8:06AM

»I can feel some Labor whinging coming on already. Anna and here acolytes are already preparing to whinge about how they "were robbed" ahead of any by-election, notwithstanding they were clearly outpolled by the LNP.«  
»Now they are preparing to say they "were robbed" by the Chief Justice. Oh dear, how pathetic.«

Anchises | February 10, 2015, 8:08AM

»No not at all , this political appointment should excuse himself from the matter , and really resign from the position«

John | Wynnum February 10, 2015, 8:13AM

»You bewdy. Let the loopy lefties conspiracy theories begin !«

Me | February 10, 2015, 8:18AM

»If Carmody is the residing judge, then it will be a 'politically biased' result. He is an LNP appointee, held in contempt by his peers. Any decision he makes will be controversial.«

Jim | Labrador February 10, 2015, 8:19AM

»It's worth noting that a former Labor Senator who has analyzed the QLD election reckons the Campbell Newman factor dragged every LNP candidate down by about 5%, so without Campbell Newman the LNP is likely to win the Ferny Grove by election comfortably.«  
»No wonder Labor is panicking about getting in to government as soon as possible, so they can pull as many dirty tricks as possible to try and reverse the inevitable.«

Me | February 10, 2015, 8:22AM

»If Carmody has any integrity or respect for the role he shouldn't be in as it is he will appoint someone else.«

Liam | Windsor February 10, 2015, 8:24AM

»These Katter fools are wrong with the ethanol. It shouldn't be used in a marine environment as it allows moisture to gain easy access into the fuel. If 10% ethanol is added to all fuel it will only be a matter of time before some one gets caught out and requires rescuing possibly putting many lives at risk. It also doesn't have the same bang for the buck. Fuel consumption goes up and the cost of filling up the family car will be a burden on struggling families«

col | February 10, 2015, 8:25AM

»If the Palmer United candidate, Mark Taverner was an ineligible candidate I would hope that the people of Queensland would be able to recover the cost of any by election from the Palmer United party since they failed in their duty to provide a legitimate candidate. (Obviously Mark Taverner can't be sued as he is an undischarged bankrupt and I assume has no money.)«

coldturkey | Brisbane February 10, 2015, 8:44AM

LC »

»We should do away with preferences. Make it easier to count, and the first person past the post wins. Not a person that does not have the majority of votes winning, and then getting votes from people who effectively get multiple votes. You chose ONE person to vote for...if that person does not make it then the person who the MAJORITY have voted for gets in.

Much fairer way. One person one vote.«

»

NickB | Brisbane February 10, 2015, 8:49AM

LC »

»According to his peers, what would that idiot know about a decision on Ferny Grove, he was appointed as a LNP PUPPET.«

»

Jockboy | February 10, 2015, 8:51AM

LC »

»Its time for Carmody to repay Newman for his appointment by finding in favour of the LNP. LNP corrupt to the end.«

»

chris | qld February 10, 2015, 8:58AM

LC »

»If the people of Ferny Grove have to go to a by-election because a candidate did not disclose all the required information, then shouldn't all the costs incurred from his actions be paid by either him or his party. Why should the tax payer foot the bill for the costs of a by-election and why couldn't the people of Ferny Grove claim damages from the party for their time and costs? Maybe its time to sue Clive.«

»

bjp | February 10, 2015, 9:05AM

LC »

»Appointed by LNP Newman, Carmody will be protecting his own job as well as the Qld LNP. Biased decision - in my opinion, you bet it will be. How low will the LNP go to cling to power? More dirty tricks from the LNP. Queenslanders are sick and tired of the LNP trying to pull the wool over our eyes !«

»

Annoyed | Brisbane February 10, 2015, 9:05AM

LC »

»Tim Carmody should disqualify himself from any role the Court of Disputed Returns may play in this. He needs to do this because of the political and legal outcry over his appointment, and therefore the Court needs not only to be impartial, but seen to be impartial.«

»

The Lad | 4340 February 10, 2015, 9:06AM

LC »

»Carmody: the whole state is watching you along with a substantial part of the nation. If you perform for your puppetmaster you are done.«

»

drovers cat | an alleyway February 10, 2015, 9:11AM

LC »

»You would let a judge tainted by his association with the LNP to rule on the Ferny Grove Election result? No, no no..... I would rather a bi-election than that. When (sorry if) he ruled in favour of the LNP, no one would accept the result except for the LNP. This is what is wrong with the LNP, cronyism and favours for friends.«

»

Brissy | February 10, 2015, 9:13AM

LC »

»Exactly the problem everybody foresaw at the time.

Luckily the Katter boys are on to it, and added an enquiry into corruption on their wishlist.

So maybe we will not have to vote twice but three times. Second time when Carmody orders a by-election and a third time when the corruption enquiry decides his appointment was flawed and his decision for the by-election was invalid.

Best thing Carmody can do, is to remove himself from the process, if he does not want to give his old masters any grief.«

»

Guust Flater | Ferny Grove electorate February 10, 2015, 9:25AM





*Hon Justice Dalton*

A handwritten signature, possibly 'J. Byrne', followed by the date '11/2'.

*With Compliments*

**JUSTICE JOHN H. BYRNE**

P.O. Box 15167  
City East, Queensland, 4002

Telephone: (07) 3247 4282  
Fax: (07) 3221 7565

email: [Justice.Byrne@courts.qld.gov.au](mailto:Justice.Byrne@courts.qld.gov.au)



**SUPREME COURT OF  
QUEENSLAND**

CHAMBERS OF THE CHIEF JUSTICE

**MEMORANDUM**

**To:** Dalton J  
**From:** Carmody CJ  
**Date:** 13 February 2015  
**Subject:** The Court of Disputed Returns

Queen Elizabeth II Courts of Law  
415 George Street  
Brisbane QLD 4000  
PO Box 15167  
City East QLD 4002  
PH 61 7 3247 4279  
FX 61 7 3247 4206  
[www.courts.qld.gov.au](http://www.courts.qld.gov.au)

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Dear Jean,

Please find attached a copy of my note to Boddice J.

Thank you for your help.

A handwritten signature in black ink, appearing to be 'JC'.

**Chief Justice**



**SUPREME COURT OF  
QUEENSLAND**  
CHAMBERS OF THE CHIEF JUSTICE

COPY

Queen Elizabeth II Courts of Law  
415 George Street  
Brisbane QLD 4000  
PO Box 15167  
City East QLD 4002  
PH 61 7 3247 4279  
FX 61 7 3247 4206  
[www.courts.qld.gov.au](http://www.courts.qld.gov.au)

**MEMORANDUM**

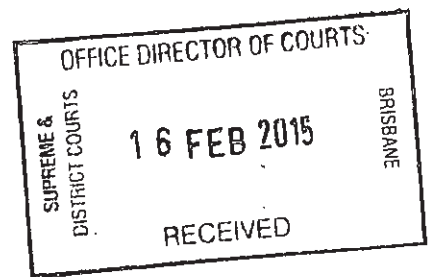
To: Boddice J  
From: Carmody CJ  
Date: 13 February 2015  
Subject: Section 137 *Electoral Act* 1992 (Qld)

I refer to previous correspondence and discussions about this subject.

On the assumption you are willing and able to do so I appoint you to convene the Court of Disputed Returns in the period to 31 December 2015. If you are unable to act for any reason Dalton J will replace you.

Please make all necessary arrangements.

Chief Justice



**MEMORANDUM**

**To:** Julie Steel  
**From:** Carmody CJ  
**Date:** 13 February 2015  
**Subject:** Court of Disputed Returns

Queen Elizabeth II Courts of Law  
415 George Street  
Brisbane QLD 4000  
PO Box 15167  
City East QLD 4002  
PH 61 7 3247 4279  
FX 61 7 3247 4206  
[www.courts.qld.gov.au](http://www.courts.qld.gov.au)

Dear Julie,

The Supreme Court is the Court of Disputed Returns for the purpose of the *Electoral Act 1992*.

The Court is constituted by my appointee. As a matter of long standing convention two judges are appointed for twelve months in advance under the court's rank rule in order of seniority.

Justices Boddice and Dalton are appointed under this protocol to convene the Court of Disputed Returns in 2015. Justice Dalton will substitute for Justice Boddice in the event of his inability to sit.

I understand that Justice Boddice has already corresponded with Di Antonsen about making the procedures to be followed.

**Chief Justice**

## Justice Byrne

---

**From:** Justice Atkinson  
**Sent:** Friday, 13 February 2015 3:33 PM  
**To:** Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Henry; Justice Jackson; Justice Martin; Justice McMeekin; Justice Mullins; Justice North; Justice PDMcMurdo; Justice PLyons; Justice Thomas  
**Subject:** FW:  
**Attachments:** 20150213152001107.pdf

Dear colleagues

I have attached the response I intend to send to the Chief Justice with regard to his memorandum today to the Senior Judge Administrator. Please let me know if you have an opinion that you have not already expressed to me about its terms.

Regards  
Roslyn

-----Original Message-----

**From:** ricoh@justice.qld.gov.au [mailto:ricoh@justice.qld.gov.au]  
**Sent:** Friday, 13 February 2015 3:20 PM  
**To:** Justice Atkinson  
**Subject:**

This E-mail was sent from "JP40914" (Aficio MP 5001).

Scan Date: 13.02.2015 15:20:00 (+1000)  
Queries to: ricoh@justice.qld.gov.au

## Justice Byrne

---

**From:** Justice Atkinson  
**Sent:** Friday, 13 February 2015 4:38 PM  
**To:** Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Henry; Justice Jackson; Justice Martin; Justice McMeekin; Justice Mullins; Justice North; Justice PDMcMurdo; Justice PLyons; Justice Thomas  
**Subject:** FW:  
**Attachments:** 20150213163054751.pdf

Dear colleagues

I sent the memo and this is the reply I have received from the Chief Justice.

Regards

Roslyn

-----Original Message-----

**From:** ricoh@justice.qld.gov.au [mailto:ricoh@justice.qld.gov.au]  
**Sent:** Friday, 13 February 2015 4:31 PM  
**To:** Justice Atkinson  
**Subject:**

This E-mail was sent from "JP40914" (Aficio MP 5001).

Scan Date: 13.02.2015 16:30:54 (+1000)  
Queries to: ricoh@justice.qld.gov.au

## Justice Jackson

---

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 5:48 AM  
**To:** Justice McMeekin; Justice North; Justice Henry  
**Subject:** Proposed Meeting on 19 February 2014 at 1:15pm  
**Attachments:** Draft Resolutions.docx

Dear Duncan, David and James,

Sche.2/2(1)

I propose to arrange a meeting of the Judges tomorrow, during the luncheon adjournment period, to consider the resolutions on the attached draft. As the subject of the resolutions directly concerns the Chief Justice and the SJA, I propose that the next senior Judge, Atkinson J if she is available, convene and chair the meeting.

I was able to personally discuss my proposal with each of the Judges of the Trial Division in Brisbane yesterday afternoon, except for Burns J and Thomas J. I will attempt to speak to each of them this morning. I will also call each of you to discuss it. I also propose to approach the Chief Justice this morning, to inform him of my proposal and to invite him to participate.

Regards

David Jackson

## Justice Jackson

---

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 9:23 AM  
**To:** Justice Atkinson  
**Subject:** RE:  
**Attachments:** Draft Resolutions.docx

Roslynn

I have spoken to all our colleagues on the Trial Division, except North J who has not yet responded to my message or call, and Thomas J who I am following up this morning. All are generally in favour of the resolutions. Two think resolution 2 is unnecessary.

I propose that the meeting be tomorrow at 1:15 pm and chaired by you as the senior Judge of the Trial Division who is not the subject of any of the proposed resolutions.

Regards

David

---

**From:** Justice Atkinson  
**Sent:** Wednesday, 18 February 2015 2:22 AM  
**To:** Justice Jackson  
**Subject:**

Dear David

Sch.4/3/3 I think we probably need to informally discuss your proposed resolutions with as many of our colleagues as possible and then call a meeting either of the trial division (without Byrne J) or of the whole court to discuss and vote on them.

What do you think?

I'll be back on Thursday.

Regards  
Roslyn



## Justice Jackson

---

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 9:28 AM  
**To:** Justice Thomas  
**Subject:** Proposed Meeting on 19 February at 1:15 pm  
**Attachments:** Draft Resolutions.docx

Dear David

I propose to arrange a meeting of the Judges tomorrow, during the luncheon adjournment period, to consider the resolutions on the attached draft. As the subject of the resolutions directly concerns the Chief Justice and the SJA, I propose that the next senior Judge, Atkinson J if she is available, convene and chair the meeting.

I was able to personally discuss my proposal with each of the Judges of the Trial Division in Brisbane yesterday afternoon, except for Burns J and yourself. I have spoken this morning to McMeekin J and Henry J. I also propose to approach the Chief Justice this morning, to inform him of my proposal and to invite him to participate.

Regards

David Jackson  
3008 8735

## Justice Jackson

---

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 10:06 AM  
**To:** Chief Justice Carmody; Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Atkinson; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Jackson; Justice Martin; Justice Mullins; Justice PDMcMurdo; Justice PLYons; Justice Thomas; Justice Henry; Justice McMeekin; Justice North  
**Subject:** Proposed Meeting - 19 February 2015 @ 1:15 pm  
**Attachments:** Draft Resolutions.docx

Dear Chief Justice and Judges,

As most of you are aware (and my apologies to those with whom I have not been able to raise the question personally yesterday afternoon or this morning) I am proposing that there be a meeting of Judges to consider proposed resolutions in accordance with the draft that I attach. I propose that the meeting be at 1:15 pm tomorrow in the Judges' Meeting Room. That will enable the regional Judges to attend by video or audio link, if they are available.

I have not yet spoken to the Chief Justice, Justice Wilson, Justice North or Justice Thomas, but will seek to meet with or talk to them asap.

However, I did not consider that I could defer nominating the time for the meeting any later as you all have your own arrangements. In my view, something must be done immediately about the current situation in respect of proposed resolutions 3 and 4, and resolutions 1 and 2 are of such general importance that they should not be put off. Secondly, I am aware that some of the most important participants are otherwise engaged next week.

I would suggest that Atkinson J, as the Senior Judge not directly involved in the proposed resolutions, should take the Chair.

Yours faithfully

David Jackson

## Justice Douglas

---

**From:** Justice Douglas  
**Sent:** Wednesday, 18 February 2015 10:33 AM  
**To:** Justice Jackson  
**Subject:** RE: Proposed Meeting - 19 February 2015 @ 1:15 pm

David – I'm due to be at an ACU Senate meeting in Sydney tomorrow but that meeting should be finished by 1:15 pm our time and I could ring in.

I may not be able to go down to Sydney if my jury hasn't returned anyway.

I'll make inquiries about the number to ring in on if I am down there.

Kind regards,

JSD

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 10:06 AM  
**To:** Chief Justice Carmody; Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Atkinson; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Jackson; Justice Martin; Justice Mullins; Justice PDMcMurdo; Justice PLYons; Justice Thomas; Justice Henry; Justice McMeekin; Justice North  
**Subject:** Proposed Meeting - 19 February 2015 @ 1:15 pm

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I would suggest that Atkinson J, as the Senior Judge not directly involved in the proposed resolutions, should take the Chair.

Yours faithfully

David Jackson

## Justice Jackson

---

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 11:31 AM  
**To:** Justice Alan Wilson  
**Subject:** RE: Proposed Meeting - 19 February 2015 @ 1:15 pm

Alan

Thanks. I hope this all ends in the least bad way.

Regards

David

---

**From:** Justice Alan Wilson  
**Sent:** Wednesday, 18 February 2015 10:13 AM  
**To:** Justice Jackson  
**Subject:** Re: Proposed Meeting - 19 February 2015 @ 1:15 pm

Dear David,

No need to contact me about the proposed resolutions, the spirit and intendment of which I wholly support.

Will either attend the meeting in person, or appoint a proxy.

Regards,  
Alan W

---

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 10:05:58 AM  
**To:** Chief Justice Carmody; Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Atkinson; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Jackson; Justice Martin; Justice Mullins; Justice PDMcMurdo; Justice PLYons; Justice Thomas; Justice Henry; Justice McMeekin; Justice North  
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## Justice Jackson

---

**From:** Justice MAMcMurdo  
**Sent:** Wednesday, 18 February 2015 4:36 PM  
**To:** Justice Jackson  
**Subject:** RE: Proposed Meeting - 19 February 2015 @ 1:15 pm

Thanks David

The Hon Justice Margaret McMurdo AC  
President, Court of Appeal, Supreme Court of Queensland

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 3:23 PM  
**To:** Justice MAMcMurdo  
**Subject:** RE: Proposed Meeting - 19 February 2015 @ 1:15 pm

Margaret

In my view, there is no reason why the Court of Appeal Judges should not do so, in particular about Resolution 1 or Resolution 2. However, I have consulted all the Judges of the Trial Division and the Chief Justice so far on the basis that those I had invited were the Judges of the Trial Division and the Chief Justice. I did so because I was concerned that if there were any dispute about Proposed Resolutions 1 or 2 some of the Judges of Appeal may be concerned as to whether they should participate. Perhaps mistakenly, I took the view that there might not be enough time to resolve any question of that kind.

At this time, I have invited all the Judges of the Trial Division and the Chief Justice for the meeting at 1:15 pm tomorrow and spoken to each of those Judges and the Chief Justice of my reasons for doing so (except for North J who was unavailable and Wilson J who I have communicated with by email). I should add that I informed the Chief Justice that I had communicated with the members of the Trial Division (except for North J) and did not mention any involvement of the members of the Court of Appeal.

Regards

David Jackson

**From:** Justice MAMcMurdo  
**Sent:** Wednesday, 18 February 2015 11:39 AM  
**To:** Justice Jackson  
**Cc:** Justice Holmes; Justice Fraser; Justice Gotterson; Justice Morrison; Justice Philippides  
**Subject:** FW: Proposed Meeting - 19 February 2015 @ 1:15 pm

Dear David

The first two resolutions you propose are plainly relevant to the whole of the Court. It is arguable that the matters in the third and fourth resolutions are linked to the matters raised by first two resolutions. Is there some reason why the Court of Appeal judges should not attend this meeting?

Best wishes

Margaret

Lyons; Justice Alan Wilson; Justice Applegarth; Justice Atkinson; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Jackson; Justice Martin; Justice Mullins; Justice PDMcMurdo; Justice PLYons; Justice Thomas; Justice Henry; Justice McMeekin; Justice North  
**Subject:** Proposed Meeting - 19 February 2015 @ 1:15 pm

Dear Chief Justice and Judges,

As most of you are aware (and my apologies to those with whom I have not been able to raise the question personally yesterday afternoon or this morning) I am proposing that there be a meeting of Judges to consider proposed resolutions in accordance with the draft that I attach. I propose that the meeting be at 1:15 pm tomorrow in the Judges' Meeting Room. That will enable the regional Judges to attend by video or audio link, if they are available.

I have not yet spoken to the Chief Justice, Justice Wilson, Justice North or Justice Thomas, but will seek to meet with or talk to them asap.

However, I did not consider that I could defer nominating the time for the meeting any later as you all have your own arrangements. In my view, something must be done immediately about the current situation in respect of proposed resolutions 3 and 4, and resolutions 1 and 2 are of such general importance that they should not be put off. Secondly, I am aware that some of the most important participants are otherwise engaged next week.

I would suggest that Atkinson J, as the Senior Judge not directly involved in the proposed resolutions, should take the Chair.

Yours faithfully

David Jackson

## Justice Jackson

---


**From:** Justice Jackson  
**Sent:** Thursday, 19 February 2015 10:05 AM  
**To:** Justice North  
**Subject:** Today's Meeting

David

I am sorry we have had a bit of telephone tag. I tried to call back a few minutes ago but you were out.

You may not have much background for Resolutions 1 and 2.

Sch.2/2(1)



I discussed the resolutions and situation in general with the CJ yesterday and our meeting was cordial and appropriate. He said he did not think he would come to the meeting but appreciated that I had come to see him and had invited and asked him to come to the meeting.

I will see you over the video at 1:15.

Regards

David Jackson

## Justice Byrne

---

**From:** Justice Atkinson  
**Sent:** Tuesday, 24 February 2015 11:34 AM  
**To:** Justice Byrne  
**Subject:** FW: Minutes 19 Feb 2015

FYI.

The Hon Justice Roslyn Atkinson AO  
Supreme Court of Queensland  
415 George Street  
Brisbane.  
PO Box 15167  
City East 4002  
Queensland  
Australia.  
Phone: 07 3406 2122  
Facsimile: 07 3229 9568  
Email: justice.atkinson@courts.qld.gov.au

**From:** Justice Atkinson  
**Sent:** Tuesday, 24 February 2015 11:25 AM  
**To:** Justice North  
**Subject:** RE: Minutes 19 Feb 2015

Dear David

Thank you for your email.

The minutes of the meeting which I sent to you yesterday, under the heading Resolution 2, record that:

“As a preliminary matter, Atkinson J moved:

**That the second proposed resolution be put to the vote.**

Motion carried”

I recall that you voted against that procedural motion. The minutes accurately record that motion as being carried but do not say that it was carried unanimously.

I took a separate vote on each of the proposed Resolutions 1 to 4 and I asked each of those who attended by video link or telephone how they voted. The votes were compiled by the minute taker and noted by at least one other Judge.

As to Resolutions 1 to 4, no one at the meeting voted against any of those motions. There were some Judges who abstained on resolutions.

I understand that the conventional way of recording a resolution where there are no votes cast against it is as carried unanimously: see for example, Renton, *Guide for Meetings and Organisations*, 6 ed, vol 2, par [8.20].

Thanks you for your response. I hope that this clarifies the matter for you.

Regards



Roslyn

The Hon Justice Roslyn Atkinson AO  
Supreme Court of Queensland  
415 George Street  
Brisbane.  
PO Box 15167  
City East 4002  
Queensland  
Australia.  
Phone: 07 3406 2122  
Facsimile: 07 3229 9568  
Email: [justice.atkinson@courts.qld.gov.au](mailto:justice.atkinson@courts.qld.gov.au)

**From:** Justice North  
**Sent:** Monday, 23 February 2015 4:46 PM  
**To:** Justice Atkinson  
**Subject:** RE: Minutes 19 Feb 2015

Roslyn

The document you circulated does not accord with my recollection of the meeting.

I abstained from one motion and voted against at least one other. I only recall that one motion was carried unanimously.

David.

**From:** Justice Atkinson  
**Sent:** Monday, 23 February 2015 4:31 PM  
**To:** DL-Supreme Court Judges  
**Subject:** FW: Minutes 19 Feb 2015

I attach minutes of the meeting of the trial division held on 19 February 2015.

Regards

Roslyn

The Hon Justice Roslyn Atkinson AO  
Supreme Court of Queensland  
415 George Street  
Brisbane.  
PO Box 15167  
City East 4002  
Queensland  
Australia.  
Phone: 07 3406 2122  
Facsimile: 07 3229 9568  
Email: [justice.atkinson@courts.qld.gov.au](mailto:justice.atkinson@courts.qld.gov.au)

## Chief Justice Carmody

---

**From:** Julie Steel  
**Sent:** Tuesday, 10 February 2015 5:24 PM  
**To:** Chief Justice Carmody  
**Subject:** FW: Court of Disputed Returns  
**Attachments:** Memo to D Antonsen 4.2.15.pdf

Dear Chief Justice

Di Antonsen met with me just after you phoned. I have told her that you will be nominating precisely who will do this work if and when an application to the CDR is received and she will tell me immediately that an application is received rather than Justice Boddice. I have asked Di to have any contact referred to her and then to me rather than as directed by Justice Boddice. Otherwise, unless or until you advise to the contrary, I propose not to enter into this directly.

Kind Regards

Julie

**Julie Steel**  
Executive Director  
Supreme, District & Land Courts' and  
Industrial Relations Commission's Service  
Queensland Courts Service  
P: (07) 323 96297  
M: 0437 635 649  
E: [julie.steel@justice.qld.gov.au](mailto:julie.steel@justice.qld.gov.au)



---

**From:** Diane Antonsen  
**Sent:** Tuesday, 10 February 2015 5:17 PM  
**To:** Julie Steel  
**Subject:** FW: Court of Disputed Returns

Julie

I've asked the Client Relations team to contact me as soon as an application is filed, but this is what the Judge asked me to share with the staff last week so I did so.

Sch.2/2(1)

Cheers  
Di

---

**Di Antonsen**  
Deputy Principal Registrar and Sheriff of Queensland  
Supreme, District & Land Courts Service  
Queensland Courts Service

**From:** Diane Antonsen  
**Sent:** Wednesday, 4 February 2015 12:57 PM  
**To:** DL-Sup & Dist Crts Client Relations Team; DL-Sup & Dist Crts Civil Jurisdiction; Sharyn Phillips; Robyn Wegner; Mark Koczan  
**Cc:** Law Courts Security; Micheal Reeves; Julie Steel  
**Subject:** FW: Court of Disputed Returns

Hi everyone

Please take the time to read the attached memo from Justice Boddice, outlining the process he has requested be used for any Court of Disputed Return matters.

If you have any questions, please don't hesitate to see me.

Cheers

Di

---

**Di Antonsen**  
Deputy Principal Registrar and Sheriff of Queensland  
Supreme, District & Land Courts Service  
Queensland Courts Service

---

**From:** Helen Phimister  
**Sent:** Wednesday, 4 February 2015 12:46 PM  
**To:** Diane Antonsen  
**Subject:** Court of Disputed Returns

Dear Di,

Please see the attached memo from Justice Boddice.

Kind regards  
Helen Phimister  
Executive Secretary to the  
Honourable Justice D Boddice  
Supreme Court of Queensland  
415 George Street, Brisbane  
Ph: (07) 3006 9097 Fax: (07) 3229 9568  
Email: [Helen.Phimister@justice.qld.gov.au](mailto:Helen.Phimister@justice.qld.gov.au)



## MEMORANDUM

**To:** Di Antonsen  
**From:** Boddice J  
**Date:** 4 February 2015  
**Subject:** Court of Disputed Returns

I confirm the Chief Justice has appointed Justice Dalton and me as the Judges to constitute the Court of Disputed Returns for 2015 (with me having primary responsibility to sit. Dalton J only to sit should I be unavailable).

It is important Registry officers be informed of these appointments forthwith. You should also ensure Security (including after hours security) and any other relevant personnel are aware of the appointments so that any enquiries concerning an application before the Court of Disputed Returns can be addressed accurately and promptly.

Please provide Registry officers with a copy of the attached which sets out the procedure to be followed upon the filing of any application before the Court of Disputed Returns.

Should you have any enquiries please do not hesitate to contact me or my Associate.

**OFFICE:**

Courts of Law  
415 George Street  
Brisbane

**POSTAL:**

PO Box 15157  
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4002

**TELEPHONE:**

(07) 32479220

**FACSIMILE:**

(07) 3221 7565

**Web:**

[www.courts.qld.gov.au](http://www.courts.qld.gov.au)

## COURT OF DISPUTED RETURNS

### Procedural Guideline

Upon the filing of any application before the Court of Disputed Returns, Registry staff should:

- (a) Immediately notify the Associate to Boddice J of the filing of the application, and of its number;
- (b) List the application for a directions hearing before Boddice J at 9.30am on a date five business days following the date of filing, unless the parties request a more urgent listing. In that event, a date should be obtained by contacting Emily Chalk, the Associate to Boddice J on 3247 9220 or email [Associate.BoddiceJ@courts.qld.gov.au](mailto:Associate.BoddiceJ@courts.qld.gov.au);
- (c) Notify the parties to the application that all further communication concerning the listing of the application should be directed to the Associate to Boddice J on [Associate.BoddiceJ@courts.qld.gov.au](mailto:Associate.BoddiceJ@courts.qld.gov.au).

## Justice Boddice

---

**From:** Justice Byrne  
**Sent:** Monday, 2 February 2015 9:28 AM  
**To:** Justice Boddice  
**Cc:** Justice Dalton  
**Subject:** FW: Court of Disputed Returns

-----Original Message-----

**From:** Justice Byrne  
**Sent:** Wednesday, 3 December 2014 4:40 PM  
**To:** Chief Justice Carmody  
**Cc:** Marie Bergwever; Justice MAMcMurdo; Justice Dalton; Justice Boddice  
**Subject:** Court of Disputed Returns

Tim,

At the meeting of the Trial Division on 3 December, it was proposed that the two judges who might be nominated pursuant to s.137(3) of the Electoral Act 1992 to constitute the Court of Disputed Returns for 2015 are Boddice J and Dalton J, with Boddice J having primary responsibility to sit and Dalton J to sit if Boddice J cannot.

John

Justice John H Byrne AO RFD  
Senior Judge Administrator  
Supreme Court of Queensland  
PO Box 15167  
City East Qld 4002  
Ph (07) 3247 4282  
Fx (07) 3224 4217

SPECIAL JURISDICTION	PRESENT AND PAST NOMINEES	TERM	MODE OF APPOINTMENT	VACANCY/ACTING
<p>Court of Disputed Returns F63 Action: Agenda Item each December</p>	<p>1996 Moynihan and Shepherdson JJ 1997 Williams and Derrington JJ 1998 de Jersey and Byrne JJ Byrne and Dowsett JJ (or Mackenzie J in absence of Dowsett J – result of de Jersey J being appointed CJ – 1998) 1999 Byrne (or White J) 2000 Fryberg and Helman JJ 2001 Muir and Chesterman JJ 2002 Wilson and Atkinson JJ 2003 Holmes &amp; Philippides JJ 2004 McMurdo &amp; Douglas JJ 2005 Moynihan SJA and Mackenzie J 2006 Byrne J and White J 2007 Fryberg J and Helman J 2007 (30 June) Fryberg J and Muir J (from Nov 07) Fryberg J and Chesterman J 2008 Chesterman J Wilson J</p>	<p>One year  2009 Atkinson J Dutney J 2010 Mullins J Philippides J 2011 P D McMurdo J Douglas J and A Lyons J (carry out the role when Douglas J is away in 2011) 2012 A Lyons J Daubney J 2013 Martin J Applegarth J 2014 P Lyons J Alan Wilson J 2015 Bodlice J Dalton J</p>	<p><i>s. 127 Electoral Act</i> Judges decided Nov. 1995 to select 2 Judges each calendar year. The 2 most senior judges who have not recently heard a case in this Court should be listed Judges. Senior Judge of the two will have the primary responsibility to sit.</p>	

## Chief Justice Carmody

---

**From:** Justice Byrne  
**Sent:** Wednesday, 11 February 2015 8:47 AM  
**To:** Justice Boddice; Justice Dalton  
**Cc:** Justice MAMcMurdo; Chief Justice Carmody  
**Subject:** Supreme Court "Statement"?

David, Jean,

The Australian carries a report today that includes:

"A statement from the Supreme Court said the "constitution of the Court of Disputed Returns is a matter for the Chief Justice under the Electoral Act. He will consider the issue if and when it arises".

I know nothing of any such statement.

John

Justice John H Byrne AO RFD  
Senior Judge Administrator  
Supreme Court of Queensland  
PO Box 15167  
City East Qld 4002  
Ph (07) 3247 4282  
Fx (07) 3224 4217



## Chief Justice Carmody

---

**From:** Justice Byrne  
**Sent:** Wednesday, 11 February 2015 5:15 PM  
**To:** DL-Trial Division Judges  
**Cc:** Justice MAMcMurdo; Chief Justice Carmody  
**Subject:** FW: Rockhampton Circuit commencing 23 February 2015  
**Attachments:** 20150211170305340.pdf

Good day,

I attach the Chief Justice's response to the email below.

John

Justice John H Byrne AO RFD  
Senior Judge Administrator  
Supreme Court of Queensland  
PO Box 15167  
City East Qld 4002  
Ph (07) 3247 4282  
Fx (07) 3224 4217

---

**From:** Justice Byrne  
**Sent:** Wednesday, 11 February 2015 1:48 PM  
**To:** Chief Justice Tim Carmody (ChiefJustice.Carmody@courts.qld.gov.au)  
**Cc:** Justice Boddice; Justice Dalton; Justice McMeekin; Justice MAMcMurdo  
**Subject:** Rockhampton Circuit commencing 23 February 2015

Sch.2/2(1)

Justice John H Byrne AO RFD  
Senior Judge Administrator  
Supreme Court of Queensland  
PO Box 15167  
City East Qld 4002  
Ph (07) 3247 4282  
Fx (07) 3224 4217



**SUPREME COURT OF  
QUEENSLAND**  
CHAMBERS OF THE CHIEF JUSTICE

**COPY**

**MEMORANDUM**

Queen Elizabeth II Courts of Law  
415 George Street  
Brisbane QLD 4000  
PO Box 15167  
City East QLD 4002  
PH 61 7 3247 4279  
FX 61 7 3247 4206  
[www.courts.qld.gov.au](http://www.courts.qld.gov.au)

**To:** Boddice J  
**From:** Carmody CJ  
**Date:** 13 February 2015  
**Subject:** Section 137 *Electoral Act* 1992 (Qld)

I refer to previous correspondence and discussions about this subject.

Sch.2/2(1)

Please make all necessary arrangements.

**Chief Justice**



**SUPREME COURT OF  
QUEENSLAND**  
CHAMBERS OF THE CHIEF JUSTICE

**COPY**

Queen Elizabeth II Courts of Law  
415 George Street  
Brisbane QLD 4000  
PO Box 15167  
City East QLD 4002  
PH 61 7 3247 4279  
FX 61 7 3247 4206  
[www.courts.qld.gov.au](http://www.courts.qld.gov.au)

---

**MEMORANDUM**

**To: Dalton J**  
**From: Carmody CJ**  
**Date: 13 February 2015**  
**Subject: The Court of Disputed Returns**

Dear Jean,

Please find attached a copy of my note to Boddice J.

Thank you for your help.

A handwritten signature in black ink, appearing to be 'JC' or similar initials.

**Chief Justice**



## MEMORANDUM

**To:** The Chief Justice  
**From:** Atkinson J  
**Date:** 13 February 2015  
**Subject:** Your Memo to Byrne SJA on 13 February 2015

I write to you on behalf of all of the judges of the Trial Division of this court to whom I have been able to speak. We wish to inform you that we have complete confidence in Byrne SJA and his performance of his duties as Senior Judge Administrator. He has been acting on behalf of the judges of the Trial Division.

Sch.2/2(1)

78B(2)(c)

*Received*  
*13/2/15*  
*4:15pm*  
*R*

**OFFICE:**

Courts of Law  
415 George Street  
Brisbane

**POSTAL:**

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City East  
4002

**TELEPHONE:**

(07) 3406 2122

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(07) 3221 7565

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[www.courts.qld.gov.au](http://www.courts.qld.gov.au)

## Chief Justice Carmody

---

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 10:06 AM  
**To:** Chief Justice Carmody; Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Atkinson; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Jackson; Justice Martin; Justice Mullins; Justice PDMcMurdo; Justice PLYons; Justice Thomas; Justice Henry; Justice McMeekin; Justice North  
**Subject:** Proposed Meeting - 19 February 2015 @ 1:15 pm  
**Attachments:** Draft Resolutions.docx

Dear Chief Justice and Judges,

As most of you are aware (and my apologies to those with whom I have not been able to raise the question personally yesterday afternoon or this morning) I am proposing that there be a meeting of Judges to consider proposed resolutions in accordance with the draft that I attach. I propose that the meeting be at 1:15 pm tomorrow in the Judges' Meeting Room. That will enable the regional Judges to attend by video or audio link, if they are available.

I have not yet spoken to the Chief Justice, Justice Wilson, Justice North or Justice Thomas, but will seek to meet with or talk to them asap.

However, I did not consider that I could defer nominating the time for the meeting any later as you all have your own arrangements. In my view, something must be done immediately about the current situation in respect of proposed resolutions 3 and 4, and resolutions 1 and 2 are of such general importance that they should not be put off. Secondly, I am aware that some of the most important participants are otherwise engaged next week.

I would suggest that Atkinson J, as the Senior Judge not directly involved in the proposed resolutions, should take the Chair.

Yours faithfully

David Jackson

## Chief Justice Carmody

---

**From:** Justice Byrne  
**Sent:** Friday, 13 February 2015 12:58 PM  
**To:** DL-Supreme Court Judges  
**Subject:** Memorandum from Chief Justice dated 13 February  
**Attachments:** 20150213125147660.pdf

I attach a memorandum from the Chief Justice.

Justice John H Byrne AO RFD  
Senior Judge Administrator  
Supreme Court of Queensland  
PO Box 15167  
City East Qld 4002  
Ph (07) 3247 4282  
Fx (07) 3224 4217

-----Original Message-----

**From:** SDC\_SJA\_SEC\_RICOHMP161SPF  
**Sent:** Friday, 13 February 2015 12:52 PM  
**To:** Justice Byrne  
**Subject:**

This E-mail was sent from "JP42359" (Aficio MP 161).

Scan Date: 13.02.2015 12:51:47 (+1000)  
Queries to: SDC\_SJA\_SEC\_RICOHMP161SPF

## Chief Justice Carmody

---

**From:** Justice Atkinson  
**Sent:** Thursday, 19 February 2015 9:09 AM  
**To:** Justice Jackson; Chief Justice Carmody; Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Martin; Justice Mullins; Justice PDMcMurdo; Justice PLYons; Justice Thomas; Justice Henry; Justice McMeekin; Justice North  
**Subject:** RE: Proposed Meeting - 19 February 2015 @ 1:15 pm

Dear colleagues

I agree that we should meet to discuss the proposals. The meeting time of 1.15 today appears to suit most. I accept that in the circumstances I will have to chair the meeting. Accordingly could you let me know if you are unable to attend.

Regards

Roslyn

The Hon Justice Roslyn Atkinson AO  
Supreme Court of Queensland  
415 George Street  
Brisbane.  
PO Box 15167  
City East 4002  
Queensland  
Australia.  
Phone: 07 3406 2122  
Facsimile: 07 3229 9568  
Email: justice.atkinson@courts.qld.gov.au

---

**From:** Justice Jackson  
**Sent:** Wednesday, 18 February 2015 10:06 AM  
**To:** Chief Justice Carmody; Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Atkinson; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Jackson; Justice Martin; Justice Mullins; Justice PDMcMurdo; Justice PLYons; Justice Thomas; Justice Henry; Justice McMeekin; Justice North  
**Subject:** Proposed Meeting - 19 February 2015 @ 1:15 pm

Dear Chief Justice and Judges,

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I have not yet spoken to the Chief Justice, Justice Wilson, Justice North or Justice Thomas, but will seek to meet with or talk to them asap.

However, I did not consider that I could defer nominating the time for the meeting any later as you all have your own arrangements. In my view, something must be done immediately about the current situation in respect of



proposed resolutions 3 and 4, and resolutions 1 and 2 are of such general importance that they should not be put off. Secondly, I am aware that some of the most important participants are otherwise engaged next week.

I would suggest that Atkinson J, as the Senior Judge not directly involved in the proposed resolutions, should take the Chair.

Yours faithfully

David Jackson

## Chief Justice Carmody

---

**From:** Justice Atkinson  
**Sent:** Friday, 20 February 2015 1:02 PM  
**To:** Justice Jackson; Chief Justice Carmody; Justice A Lyons; Justice Alan Wilson; Justice Applegarth; Justice Boddice; Justice Burns; Justice Byrne; Justice Dalton; Justice Daubney; Justice Douglas; Justice Flanagan; Justice Martin; Justice Mullins; Justice PDMcMurdo; Justice PLYons; Justice Thomas; Justice Henry; Justice McMeekin; Justice North  
**Cc:** Justice MAMcMurdo  
**Subject:** FW: :  
**Attachments:** 20150220104900765.pdf

Dear Chief Justice and Judges

I attach a memo sent to Jackson J and me as a result of our giving the resolutions passed at our meeting yesterday to the Chief Justice.

Regards

Roslyn

The Hon Justice Roslyn Atkinson AO  
Supreme Court of Queensland  
415 George Street  
Brisbane.  
PO Box 15167  
City East 4002  
Queensland  
Australia.  
Phone: 07 3406 2122  
Facsimile: 07 3229 9568  
Email: [justice.atkinson@courts.qld.gov.au](mailto:justice.atkinson@courts.qld.gov.au)

-----Original Message-----

**From:** [ricoh@justice.qld.gov.au](mailto:ricoh@justice.qld.gov.au) [mailto:[ricoh@justice.qld.gov.au](mailto:ricoh@justice.qld.gov.au)]  
**Sent:** Friday, 20 February 2015 10:49 AM  
**To:** Justice Atkinson  
**Subject:**

This E-mail was sent from "JP40914" (Aficio MP 5001).

Scan Date: 20.02.2015 10:49:00 (+1000)  
Queries to: [ricoh@justice.qld.gov.au](mailto:ricoh@justice.qld.gov.au)

## Rachel Monaghan

---

**From:** Justice Atkinson  
**Sent:** Monday, 23 February 2015 4:31 PM  
**To:** DL-Supreme Court Judges  
**Subject:** FW: Minutes 19 Feb 2015  
**Attachments:** Minutes 19 Feb 2015.doc

I attach minutes of the meeting of the trial division held on 19 February 2015.

Regards

Roslyn

The Hon Justice Roslyn Atkinson AO  
Supreme Court of Queensland  
415 George Street  
Brisbane.  
PO Box 15167  
City East 4002  
Queensland  
Australia.  
Phone: 07 3406 2122  
Facsimile: 07 3229 9568  
Email: [justice.atkinson@courts.qld.gov.au](mailto:justice.atkinson@courts.qld.gov.au)