



## MEMORANDUM

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

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)

Sch.2/2(1)

## Justice MAMcMurdo

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**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  
**Attachments:** Draft Resolutions.docx

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 MAMcMurdo

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**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

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**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

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**Subject:** Proposed Meeting - 19 February 2015 @ 1:15 pm

## Justice MAMcMurdo

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**From:** Justice MAMcMurdo  
**Sent:** Wednesday, 18 February 2015 4:59 PM  
**To:** Justice PDMcMurdo  
**Subject:** FW: Proposed Meeting - 19 February 2015 @ 1:15 pm

FYI

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

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**Subject:** Proposed Meeting - 19 February 2015 @ 1:15 pm

## Justice MAMcMurdo

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**From:** Justice MAMcMurdo  
**Sent:** Wednesday, 18 February 2015 6:11 PM  
**To:** Justice Holmes; Justice Fraser; Justice Gotterson; Justice Morrison; Justice Philippides  
**Subject:** FW: Proposed Meeting - 19 February 2015 @ 1:15 pm

FYI

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

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**Subject:** Proposed Meeting - 19 February 2015 @ 1:15 pm

## Justice MAMcMurdo

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**From:** Justice MAMcMurdo  
**Sent:** Friday, 20 February 2015 2:16 PM  
**To:** Justice Holmes; Justice Fraser; Justice Gotterson; Justice Morrison; Justice Philippides  
**Subject:** FW: Response from CJ to resolutions passed by the Trial Division  
**Attachments:** 20150220104900765.pdf

FYI

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

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

**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:

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

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

**From:** 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

## Justice MAMcMurdo

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**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)

## Justice Byrne

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**From:** Justice Byrne  
**Sent:** Wednesday, 11 February 2015 11:54 AM  
**To:** Chief Justice Tim Carmody (ChiefJustice.Carmody@courts.qld.gov.au)  
**Cc:** Justice Margaret McMurdo  
**Subject:** Minutes - Meeting of Judges from both Divisions of the Court - 10 Feb 2015  
**Attachments:** Minutes - Meeting of Judges from both Divisions of the Court - 10 Feb 2015.doc

Tim,

You already have the attached minutes.

May I draw your attention in particular to paragraph 5.

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 11:45 AM  
**To:** DL-Supreme Court Judges  
**Subject:** : Minutes - Meeting of Judges from both Divisions of the Court - 10 Feb 2015

Good day,

Attached are minutes of the meeting of the Divisions yesterday.

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



## Justice Atkinson

---

**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  
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