

Criminal

Examples of criminal cases heard at the Supreme Court include murder, major fraud and significant drug offences.

Like the District Court, the Supreme Court uses a jury of 12 people to decide if the accused is guilty or not guilty. A single Supreme Court judge determines the sentence according to State law.

Civil

The Supreme Court settles civil disputes worth more than \$750,000 with no upper monetary limit. A single Judge presides over civil disputes and at times the court will use a jury of four to decide.

Court of Appeal

The Court of Appeal hears all appeals from the District and Supreme Courts and tribunals such as the Small Claims Tribunal. The Court of Appeal does not hear complete cases and only grants an appeal if the appellant argues that a mistake in law was made at the original trial. It does not reconsider matters of fact or evidence.

There is usually a panel of three to five Supreme Court Judges for each appeal. There is no jury.

The Murri Court

The Murri Court is a Queensland Magistrates Court that deals with sentencing youth and adult Indigenous offenders. This court takes into account cultural issues by providing a forum where Aboriginal and Torres Strait Islanders have input into the sentencing process.

The Murri Court only handles Indigenous offenders who plead guilty to an offence and is presided over by a Magistrate. The Magistrate is assisted by Elders who provide cultural advice.

For further information

Queensland Courts: courts.qld.gov.au

Supreme & District Courts,
Court of Appeal: P 07 3247 4313
info@courts.qld.gov.au

Magistrates Court,
Murri Court: P 07 3239 0450
Magistrates.CourtsAdministration@justice.qld.gov.au

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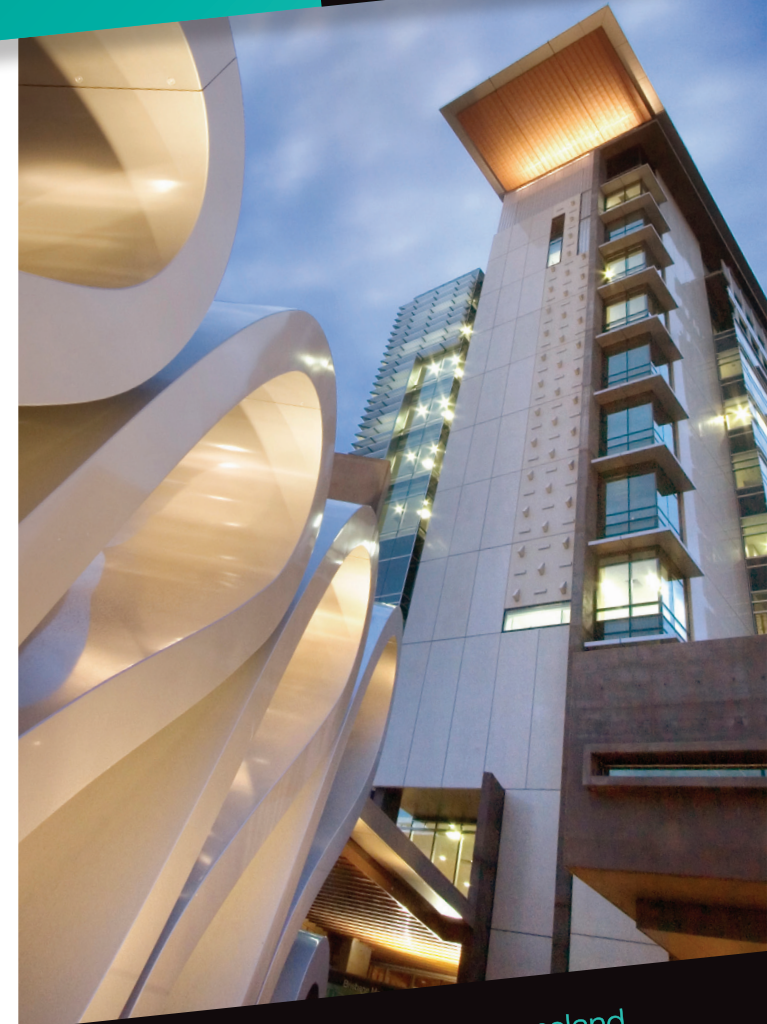


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Queensland has five levels of court jurisdiction and tribunals set up by state legislation to deal with a variety of offences.

The type of offence or dispute determines which court or tribunal looks after it.

1.	Queensland Civil and Administrative Tribunal – deals with minor civil disputes and many administrative appeals
2.	Magistrates Court – the first stop in all criminal offences and many civil disputes
3.	District Court – handles more serious criminal and civil cases
4.	Supreme Court – hears the most serious criminal and civil cases
5.	Court of Appeal – hears appeals against decisions made at trials in the District and Supreme Courts, whether criminal or civil

Queensland Civil and Administrative Tribunal

QCAT deals with many minor civil disputes, disputes about small debts and many appeals from administrative decisions of government. QCAT handles debt disputes up to \$25,000.

Magistrates Court

The Magistrates Court is the first level of court jurisdiction in the Queensland justice system and the busiest of all courts in the State. Magistrates Courts can be found in most towns in Queensland and there are more than 83 magistrates and 130 places where Magistrates Court hearings are held.

Criminal

If someone commits a criminal offence, under Queensland law they must be brought before the Magistrates Court as soon as possible.

The Magistrate, who is referred to as 'Your Honour' in court, hears the evidence and makes all judgements and decisions. There is no jury present.

The first decision a Magistrate will consider is whether there is a case to answer and sufficient evidence to conduct a trial against the person charged with the offence. The second decision is whether the case should be heard in the Magistrates Court or sent to a higher court for trial before a judge and jury.

Less serious offences such as burglary, assault, drug and traffic offences are usually dealt with summarily. 'Summarily' means the case can be decided by the Magistrate based on evidence before the court. If the defendant, that is the person charged with the minor offence, pleads guilty the Magistrate usually deals with the case immediately. If the defendant pleads not guilty, the Magistrate will set a hearing date which gives the prosecution and defence sufficient time to prepare the case and notify witnesses.

Civil

Any person or company wishing to sue another for compensation or money owed with a value up to \$150,000 will need to file a claim in the Magistrates Court, or if the claim is for \$25,000 or less they may take it to QCAT. If the claim is more than \$150,000 it will need to be filed in a higher court.

The Magistrates Court also comprises of:

- the Childrens Court for offences committed by juveniles
- the Coroners Court for hearing inquiries into deaths that occur in unusual circumstances.

District Court

The District Court is the next level up from the Magistrates Court and the first court in the hierarchy that involves a jury.

There are eight District Courts throughout Queensland with more than 37 District Court Judges who are called 'Your Honour' in court. The District Court hears more than 7,000 criminal and 1,000 civil cases each year. District Court Judges also visit regional centres periodically, where they use the local Magistrates Courts to hold hearings.

Criminal

Serious criminal cases such as serious assault, rape, armed robbery and fraud are sent to the District Court after being committed to trial in a Magistrates Court. Here, a jury of 12 people will decide whether the person accused of the crime is guilty or not guilty. If the accused is found guilty a District Court Judge determines the sentence according to Queensland law.

Civil

Civil disputes involving amounts between \$150,000 and \$750,000 go directly to the District Court.

Supreme Court

The Supreme Court is the highest court in Queensland. There is a Criminal Court in Brisbane, Cairns, Rockhampton and Townsville. Supreme Court Judges also visit other towns throughout the State. There are 25 Supreme Court Judges who are referred to in court as 'Your Honour'.

Comprising of a trial division to hear the most serious criminal and civil cases, the Supreme Court deals with approximately 1,200 criminal and 350 civil cases every year. The Court of Appeal also hears appeals from both the District Courts and the trial division.