

8 December 2016

Our ref: Criminal Law Committee/BDS

Mr David Hennessy  
Project Manager | Courts Website Redevelopment Project  
Reform and Support Services | Queensland Courts

By email: [REDACTED]

Dear Mr Hennessy

**Queensland Courts Website Redevelopment Project**

Thank you for attending our Criminal Law Committee meeting on 15 November 2016 and for the opportunity to provide comments on the Queensland Courts Website Redevelopment Project. The Queensland Law Society appreciates being consulted on this important project.

The Society has also received input from other committees including our Litigation Rules Committee.

**Understanding the needs****1. What content is most used?**

Criminal law practitioners primarily use the law lists and judgments sections of the website. In addition to these sections, civil law practitioners also use eCourts, practice directions, court calendars, forms, the UCPR and the interest calculator.

**2. What content is not used at all?**

Experienced practitioners are unlikely to use content designed for unrepresented litigants and other stakeholders/member of the public.

**3. Who accesses the site most (eg, lawyers or staff/assistance)?**

The site is accessed most often by lawyers.

**4. What devices are most used?**

The following devices are most used: smart phones, tablets, laptops and desktop computers.

**5. How often is Party Search used?**

Party Search is regularly used in civil matters. In criminal matters, it is used for confiscation proceedings and Supreme Court bail applications.

**6. How are practice directions used? Accessed often or printed out**

Practice Directions are accessed electronically and printed out if they are needed at court.

**7. How are bench books used? Accessed often or printed out**

Bench books are accessed electronically for particular matters and generally printed out as a guide.

**8. How are forms used? Accessed often or printed out?**

Criminal forms are accessed and used as precedents often. This is because not a lot of software companies have programs which include criminal forms.

In civil matters, firms often create their own precedents using forms from the Courts' website. Forms that are only occasionally used may be accessed directly from the website.

**9. How are calendars used? Accessed often or printed out**

Calendars are generally accessed electronically and are useful when providing instructions on mentions etcetera.

From a civil law perspective, court calendars are used to ascertain dates and availability for applications to be heard.

**10. How are law lists used? Accessed often or printed out?**

Law lists checked electronically, but also are usually printed out and taken to court so that a practitioner may follow the list.

**11. How are Judgments used? Accessed often or printed out?**

This is a good tool. It directs a practitioner to the Supreme Court Library website where research is done electronically. Useful cases will often be printed out.

**12. How is Admission used?**

This section is used rarely by practitioners. We believe this would be of greater importance and interest to law students and those seeking admission.

**13. How is eLodgement used?**

ELodgement is not available in many matters and this therefore used minimally by criminal and civil law practitioners.

**14. How is eFiles used?**

EFiles is not available in many matters and this therefore used minimally by criminal and civil law practitioners. It is, however, used by planning and environment practitioners and the Society notes the recent Supreme Court Practice Direction 21 of 2016 which establishes a process for electronic document filing and management of proceedings on the Commercial List.

The Society would welcome eFiles being made available to all Courts and matters.

**How is eCourts used?**

ECourts is used by civil law practitioners to check the status of a proceeding and the documents that have been filed. It is also used to prepare for hearings (to identify material to be referred to by court file index numbers) and to check related proceedings.

It is used minimally by criminal law practitioners in confiscation matters and Supreme Court bail applications.

**What is wanted? How should 'For lawyers' work?**

**15. Content to suit style needs of Legal Profession (eg, plain speech or legal speech?)**

The current content is adequate.

**16. What resources are needed?**

The current resources are adequate.

**17. What information is needed?**

The information currently offered is useful.

**18. What needs to change?**

The Society recommends the following changes:

- For the resources and capabilities in the criminal law jurisdiction to match the civil law jurisdiction.
- For legal practitioners to have access to superior court diaries with available sentence and court dates.
- For separate courts to be placed on separate lists so that a practitioner can just print out the relevant court list.
- The practice directions section amended. Presently it contains information not just relating to the practices of the court/various court lists, but things such as "changes of address for service" and "change of name". Given numerous of those documents are filed, it makes it very difficult to access more substantive information. Documents of that nature would be better placed and accessible under a separate category.

**Additional questions**

**19. We are considering that we have several stakeholder groups of 'courts users' – among which are the legal profession. These include (eg) Media, community, self-represented and enforcement. As such, we are toying with the idea of changing the main button in the navigation of 'For practitioners' (or 'For lawyers') to instead be, say, 'Court users' and this will include a drop down menu that will have 'Practitioners' 'Community' 'Media' and so on. Each item will then go to a landing page that will have information and resource specific to that particular group.**

The Society supports this proposal.

**20. We are considering that we have several stakeholder groups of 'courts users' – among which are the legal profession. These include (eg) Media, community, self-represented and enforcement. As such, we are toying with the idea of changing the main button in the navigation of 'For practitioners' (or 'For lawyers') to instead be, say, 'Court users' and this will include a drop down menu that will have**

**'Practitioners' 'Community' 'Media' and so on. Each item will then go to a landing page that will have information and resource specific to that particular group.**

The Society does not object to this proposal.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Senior Policy Solicitor, Ms Binari De Saram on [REDACTED]

Yours faithfully [REDACTED]

Bill Potts  
**President**