



SUPREME COURT OF
QUEENSLAND

CHAMBERS OF THE CHIEF JUSTICE

LAPCSESC
Civil Proceedings
Submission 001

20 September 2011

The Honourable Dean Wells MP
Acting Chair
Legal Affairs, Police, Corrective Services
and Emergency Services Committee
Parliament House
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Dear Mr Wells

I refer to your letter of 19 September 2011 inviting me to make a submission in relation to the *Civil Proceedings Bill 2011*.

I am the statutory chairman of the Rules Committee. Save for the “unrelated law changes” you list against the dot points in your letter – on which I advance no comment, the Bill is the work of the Rules Committee assisted by the Office of Parliamentary Counsel, and has my full support. It is a potentially significant piece of legislation which will streamline the exercise by the State Courts of their jurisdictions.

The vast bulk of the Bill – those procedural provisions hearing on the jurisdictions of the Courts – has already been the subject of substantial consultation, and I draw attention to this because it may bear on the Committee’s approach to the Bill: it would be most desirable were there assurance the Bill could be dealt with within the life of this Parliament.

That consultation has included:

- (a) The draft Bill was exposed to public scrutiny on the Queensland Courts’ website between 13 October 2010 and 17 December 2010. The website invited public comment on the content of the Bill.
- (b) A copy of the relevant entry on the What’s New section of the Queensland Courts’ website was emailed to all Supreme and District Court judges on 13 October together with some explanatory comments and a statement that their comments on the consultation draft Bill would be welcomed.
- (c) Justice Muir, as Chair of the Rules Committee, wrote on 14 October 2010 to the Deans of the law schools of the University of Queensland, Bond University, Griffith University, QUT, James Cook University, Southern Cross University and University of Southern Queensland providing a copy of the



Chambers of the Chief Justice, Supreme Court of Queensland

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relevant entry on the Queensland Courts' website, briefly explaining the background to the consultation draft Bill and requesting that faculty members be made aware of the fact that the draft Bill had been released for public consultation. He observed that "comments or criticism" would be welcomed by the Rules Committee.

- (d) A similar letter was sent to the Director of Public Prosecutions on 13 October 2010. Submissions in response to the consultation process were received by the Rules Committee from Legal Aid Queensland on 23 November 2010.
- (e) The Presidents of the Bar Association of Queensland and the Queensland Law Society were both provided with drafts of the proposed Bill on 8 October 2010 and they both expressed their approval of the Bill: the President of the Bar Association on 10 November 2010 and the President of the Law Society on 22 November 2010.

As you can see, the consultation has been comprehensive and productive, and I trust this may influence the approach of the Committee towards ensuring the passage of the Bill in the life of the current Parliament.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Paul de Jersey".

The Hon P de Jersey AC
Chief Justice