

IN THE SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

BEFORE MASTER LEE Q.C.

BRISBANE, 27 MARCH 1981

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IN THE MATTER OF a general announcement at the call-over conducted on 27 March 1981

MASTER: I have some announcements to make, ladies and gentlemen.

Attendances at call-overs - the profession is advised that at the call-overs for 27 February and 3 March for the sittings to start Monday next, the 30th, there were 81 non-appearances for various parties in cases actually called. In some cases there were no appearances for any party at all, and in others one party may have been present, and so on. A record is being kept of all appearances and non-appearances at call-overs and letters are being sent to solicitors on the record advising of any non-appearance and seeking an explanation. Accordingly, I ask again that when cases are called you announce your name clearly and the party for whom you are appearing so that it can be recorded. Please remember that some of you are very well known, but not to everybody taking notes.

The abeyance list - you will note that on today's informal call-over list - and I use that term as distinct from the statutory call-over list referred to in O.39 r.30A - there are 228 cases listed and there are quite a few more on the supplementary list, speedy trials and the like. This list comprises almost all of the cases on the master list. There perhaps may be another dozen. Of the

cases on today's list, 187 have been called before and not set down (see paragraph 1 of the notes). If they are called today and offered a date of trial but are not set down, they go to the abeyance list automatically. At the moment cases can be removed from the abeyance list by means of a letter to the Registry, and restored to the call-over list.

Consideration, however, is being given to a system whereby cases which go to the abeyance list remain there until a summons is taken out seeking that the case be restored to the master list and in what order. However, it is not proposed to install this system immediately, but it will depend upon how the system develops.

The profession is urged to comply with O.39 r.30A, in particular the rules dealing with certificates of readiness. Any breach of the rules, of course, will not be aided by the court in any way.

Quantum cases - it should be noted that masters have jurisdiction to bear quantum and TFM cases. That does not mean, of course, that a judge cannot hear them. If a master is not available and a judge is available, such a matter may be referred to a judge under O.86 r.4(a) by the master taking the call-over. The aim is to keep the system flexible. It cannot be assumed that a master is automatically available every day.

The sittings I am about to call is a relatively small one comprising of only 10 judge weeks.

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