

# SUPREME COURT OF QUEENSLAND

CITATION: *Weribone v Senior/Area Manager, Brisbane North Community Corrections* [2005] QSC 387

PARTIES: **LESLIE JAMES WERIBONE**  
(applicant)  
v  
**SENIOR/AREA MANAGER, BRISBANE NORTH COMMUNITY CORRECTIONS**  
(respondent)

FILE NO/S: BS No 8321 of 2005

DIVISION: Trial Division

PROCEEDING: Applications

ORIGINATING COURT: Supreme Court at Brisbane

DELIVERED ON: 16 December 2005

DELIVERED AT: Brisbane

HEARING DATE: Written submissions

JUDGE: White J

ORDER: **There be no order as to costs.**

CATCHWORDS: ADMINISTRATIVE LAW – JUDICIAL REVIEW – PROCEDURE AND EVIDENCE – COSTS – where application for review of conduct associated with the preparation of a home assessment report – where application dismissed – where the applicant raised concerns that the respondent must be aware of in making decisions about the applicant

COUNSEL: The applicant made written submissions  
There were no submissions in response.

[1] I gave judgment in an application by the applicant for a statutory order of review of conduct by the respondent associated with the preparation of a home assessment report provided to the West Moreton Community Corrections Board on 1 December 2005 ([2005] QSC 347). I dismissed the application.

[2] The second order which I made was  
“Unless the applicant can persuade the court to the contrary by written submissions within 14 days of the date on which he receives these reasons the applicant must pay the respondent’s costs of the application to be assessed on the standard basis.”

- [3] The applicant has provided those reasons which, in effect, reargue the merits of the application. Mr M Plunkett who appeared on the behalf of the respondent indicated that he did not wish to make submissions in response. The applicant does articulate his grievance that the Queensland Police Service charge documents (QP9s) remain on his file for use by those considering his release and create an impermissibly incorrect picture of his offending since the Prosecution entered a *nolle prosequi* with respect to eight charges including maintaining a sexual relationship with a child under the age of 16 years.
- [4] Although this complaint was not the subject of the application for judicial review it now seems to be the dominant complaint. Although the application was dismissed the applicant has ventilated those concerns and the respondent needs to be aware of them when making decisions about the applicant.
- [5] In all the circumstances I have been persuaded that there should be no order as to the costs of the application.