

APPENDICES

NAMES OF JUDGES AND MASTERS

	<i>Period of Office</i>		<i>Period of Office</i>
Chief Justice			
The Honourable Justice John Harber Phillips, AC	17 December 1991– 17 October 2003 (*1984)	The Honourable Justice Stephen William Kaye	16 December 2003–
The Honourable Justice Marilyn Louise Warren	25 November 2003– (*1998)	The Honourable Justice Simon Paul Whelan	17 March 2004–
		The Honourable Justice Elizabeth Jane Hollingworth	08 June 2004–
President of Court of Appeal			
The Honourable Mr Justice John Spence Winneke, AC	07 June 1995–	Reserve Judges	
		The Honourable Mr Justice Norman Michael O'Bryan	07 May 1992–
		The Honourable Justice Howard Tomaz Nathan	18 April 1997–30 January 2004
		The Honourable Justice Rosemary Anne Balmford	13 October 2003– (*1996)
Judges of Appeal			
The Honourable Mr Justice William Frederick Ormiston	07 June 1995– (*1983)	Masters	
The Honourable Mr Justice John David Phillips	07 June 1995–22 May 2004 (*1990)	Master Philip Lawrence Cain	26 November 1996*–
The Honourable Justice Stephen Pendrill Charles	07 June 1995–	Senior Master Kevin John Mahony	15 April 1983–
The Honourable Mr Justice Frank Hortin Callaway	07 June 1995–	Master Ewan Kenneth Evans	02 August 1983–
The Honourable Mr Justice John Michael Batt	06 May 1997– (*1994)	Master Charles William George Wheeler	31 July 1990–
The Honourable Justice Peter Buchanan	28 October 1997–	Master Thomas Peter Bruce	15 July 1973*–
The Honourable Justice Alex Chernov	13 October 1998– (*1997)	Master Kathryn Elizabeth Kings	20 March 1993*–
The Honourable Justice Frank Hollis Rivers Vincent	12 June 2001– (*1985)	Master Michael Joseph Louis Dowling, QC	15 May 2001–
The Honourable Justice Geoffrey Michael Eames	15 March 2002– (*1992)		
The Honourable Justice Geoffrey Arthur Akeroyd Nettle	08 June 2004– (*2002)		
Judges			
The Honourable Mr Justice Barry Watson Beach	18 July 1978–15 February 2003		
The Honourable Justice Bernard George Teague	13 October 1987–		
The Honourable Justice Philip Damien Cummins	17 February 1988–		
The Honourable Justice Thomas Harrison Smith	01 May 1990–		
The Honourable Justice David John Ashley	21 August 1990–		
The Honourable Justice John Allen Coldrey	19 February 1991–		
The Honourable Justice David McCartin Michael Byrne	20 August 1991–		
The Honourable Justice David Lindsey Harper	11 March 1992–		
The Honourable Justice Hartley Roland Hansen	06 April 1994–		
The Honourable Justice Philip Mandie	10 May 1994–		
The Honourable Justice Rosemary Anne Balmford	06 March 1996–14 September 2003		
The Honourable Justice Eugene William Gillard	06 May 1997–		
The Honourable Justice Murray Bryon Kellam	28 January 1998–		
The Honourable Justice Bernard Daniel Bongiorno	18 December 2000–		
The Honourable Justice David John Habersberger	03 July 2001–		
The Honourable Justice Robert Stanley Osborn	09 May 2002–		
The Honourable Justice Geoffrey Arthur Akeroyd Nettle	23 July 2002–07 June 2004		
The Honourable Justice Julie Anne Dodds-Streeton	23 July 2002–		
The Honourable Justice Robert Frank Redlich	25 October 2002–		
The Honourable Justice Katharine Mary Williams	25 October 2002–		
The Honourable Justice Stuart Ross Morris	09 April 2003–		

**Date of first appointment to the Supreme Court.*

Note: The Court of Appeal commenced on 7 June 1995.

SUPREME COURT REGISTRIES

Principal Registry

Level 2
436 Lonsdale Street
MELBOURNE VIC 3000
Tel: (03) 9603 9300
Fax: (03) 9603 9400
Ausdoc: DX 210608

Court of Appeal Registry

Ground Floor
450 Little Bourke Street
MELBOURNE VIC 3000
Civil Tel: (03) 9603 6031
Criminal Tel: (03) 9603 6045
Fax: (03) 9603 6050
Ausdoc: DX 210608

Juries Division

Ground Floor
250 William Street
MELBOURNE VIC 3000
Tel: (03) 8636 6810
Fax: (03) 8636 6829
Ausdoc: DX 210608

Ballarat Registry

100 Grenville Street South
(PO Box 604)
BALLARAT VIC 3350
Tel: 5336 6200
Fax: 5336 6213
Ausdoc: DX 214276

Mildura Registry

56 Deakin Avenue
(PO Box 5014)
MILDURA VIC 3500
Tel: 5021 6000
Fax: 5021 6010
Ausdoc: DX 217506

Bendigo Registry

71 Pall Mall
(PO Box 930)
BENDIGO VIC 3550
Tel : 5440 4140
Fax: 5440 4162
Ausdoc: DX 214508

Sale Registry

Foster Street (Princes Highway)
(PO Box 351)
SALE VIC 3850
Tel: 5144 2888
Fax: 5144 7954
Ausdoc: DX 218574

Geelong Registry

Railway Terrace
(PO Box 428)
GEELONG VIC 3220
Tel : 5225 3333
Fax: 5225 3392
Ausdoc: DX 216046

Shepparton Registry

High Street
(PO Box 607)
SHEPPARTON VIC 3630
Tel: 5821 4633
Fax: 5821 2374
Ausdoc: DX 218731

Hamilton Registry

Martin Street
(PO Box 422)
HAMILTON VIC 3300
Tel : 5572 2288
Fax: 5572 1653
Ausdoc: DX 216376

Wangaratta Registry

Faithfull Street
(PO Box 504)
WANGARATTA VIC 3677
Tel: 5721 0900
Fax 5721 5483
Ausdoc: DX 219436

Horsham Registry

22 Roberts Avenue
(PO Box 111)
HORSHAM VIC 3400
Tel : 5352 4444
Fax: 5362 4454
Ausdoc: DX 216519

Warrnambool Registry

218 Koroit Street
(PO Box 244)
WARRNAMBOOL VIC 3280
Tel: 5564 1111
Fax: 5564 1100
Ausdoc: DX 219592

COMMITTEE ACTIVITIES

Judges often sit on committees with representatives of other courts or members of the legal profession, and with members of the public who represent users of the Court or who have been nominated by government or relevant organisations. In such ways (and in a myriad of informal ways) the Court, through its Judges and Masters, is informed as to the functions and performance of the Court.

The formal committees of the Court include the following:

EXECUTIVE COMMITTEE

Between meetings of the Council of Judges, the Executive Committee has the delegated task of management and administration that would otherwise be taken by the full Council. The Chief Justice and President are permanent members of the Executive Committee but Judges are elected to three-year terms. The Chief Executive Officer attends when invited by the Chief Justice.

The Executive Committee meets, on average, fortnightly. A total of 29 meetings were conducted during the reporting period. There are many sub-committees that operate under the aegis of the Executive Committee. The Executive Committee ensures the efficient functioning of the Court. In particular, the committee oversees the budget of the Court.

The members of the Executive Committee in 2003–04 comprised the Chief Justice, the President, Nettle, J A Cummins, J, Bongiorno, J, Habersberger, J, Osborn, J, Senior Master Mahony and Chief Executive Officer Fin McRae. During the reporting period, some of the committee's key initiatives involved finance, building maintenance and works, and security.

SUPREME COURT LIBRARY COMMITTEE

The following appointments were made to the Supreme Court Library Committee pursuant to the Supreme Court Library Rules:

- *Judicial Members* – Mr Justice Ormiston (Chair) and Justices Teague, Byrne and Mandie
- *Appointed Members* – Mr S McLeish, Ms M Sloss Q C, Mr G R Gronow and Mr E Rodan

The Library Committee has several sub-committees, including the:

- Finance Sub-Committee with members Justice Teague (Chair), Justice Mandie, Mr S McLeish and Mr G R Gronow; and
- Books Sub-Committee with members Mr Justice Ormiston (Chair), Justices Nettle and Byrne, Mr E Rodan, Mr S McLeish and Mrs R Bird.

Appointed by the Library Committee, the Investment Committee manages the Library's Investment Fund and comprises Justice Mandie (Chair) and Justice Teague, Mr S E K Hulme Q C, Mr P Kelly and Mr D Williamson.

In addition, the Supreme Court is represented on the Courts' Libraries Committee.

During the reporting period, some of the committee's key initiatives included efforts to improve the Library's financial position, to develop the Library's collection and to increase judicial access to electronic materials.

COSTS COORDINATION COMMITTEE

In 1987, the Costs Coordination Committee was established to coordinate and advise relevant courts regarding applications relating to scales of costs. The committee's objective is to ensure court system-wide coherence in the scale of costs.

The committee met on one occasion during 2003–04 and its membership as at 30 June 2004 included the Chief Justice (Chair), Justice Eames, Chief Judge Rozenes, Master Bruce, Senior Deputy Registrar T Kearney, Chief Magistrate Gray (or Magistrate Lauritsen), Prof P Williams (nominated by the Attorney-General), Law Institute of Victoria representatives M Iudica, M Johnson, D Denby, and Victorian Bar representatives M Shand QC and C Harvey.

LEGAL COSTS COMMITTEE

The Legal Costs Committee is established by section 114 of the *Legal Practice Act 1996*. Its members met on one occasion in 2003–04 to consider Practitioner Remuneration Orders with respect to non-litigious costs.

Committee membership as at 30 June 2004 included Chief Justice (Chair), Ms M Johnson, Mr A Weingart, Prof P Williams, Mr P Shattlock, Mr N Green Q C and Mr P Murdoch Q C, including Mr N Gill as secretary of the committee.

JUDICIAL OFFICERS' ABORIGINAL CULTURAL AWARENESS COMMITTEE

The Judicial Officers' Aboriginal Cultural Awareness Committee was created in response to one of the recommendations of the Royal Commission into Aboriginal Deaths in Custody, which proposed that Judges and Magistrates gain greater appreciation of the culture of Aboriginal and Torres Strait Islander people. The committee liaises closely with the Australian Institute of Judicial Administration (AIJA). In addition, the committee chair is a member of a national committee of the AIJA with a similar objective.

The committee met on 4 December 2003 and as at 30 June 2004, its membership totalled 15, including judicial members of the Supreme, County and Federal Courts and representatives of the Department of Justice.

During the reporting period, some of the committee's key initiatives included a resolution to organise a conference for October 2004 and producing a benchbook for use by judicial officers when dealing with Aboriginal persons in court, in conjunction with the Judicial College of Victoria.

OTHER COMMITTEES

Judges of the Court were members of other committees during the reporting period as follows:

- The Court-Media Liaison Committee (Justice Teague, Chair).
- Online Services Working Party (Justice Smith, Chair).
- Records Management Working Party (Mr Justice Batt and Justice Smith).
- Computers and Technology Committee (Justice Mandie, Chair).
- Probate Users Committee (Justice Harper).
- Litigation Support Group (Chief Justice).
- Council of Legal Education (Chief Justice, Justices Teague, Cummins, Coldrey, Harper and Williams).
- Court Security Committee (Justice Cummins, Chair).

GLOSSARY OF TERMS

Adjourned Sine Die	A Latin term for ‘without day’ referring to a proceeding being adjourned to a date to be fixed.	Criminal Division	A division of the Court’s Trial Division brought into effect on 1 February 2000, pursuant to Practice Note 4 of 1999.
Adjournment	A procedure to suspend or postpone a hearing to a future date.	Department	Department of Justice.
Admiralty List	A Judge-controlled List in the Commercial and Equity Division, the List provides specialist management to cases concerning maritime and associated disputes.	Directions Hearing	A form of preliminary hearing conducted when directions are given for the main hearing to be held at a later date.
Affidavit	Written statement in the name of a person, called the deponent, by whom it is voluntarily signed and sworn to or affirmed.	Funds In Court	A discrete, self-funded division of the Court where the Senior Master holds, administers and invests all funds paid into the Court.
Appeal	An application to a higher court to review the decision of a lower court.	Injunction	A Court order imposed to make a person do something or refrain from doing something.
Associate	Each Judge and Master has an Associate. The Associate’s duties involve the administrative functions connected with the running of Court hearings. They also act as general assistants to their Judge/Master. Judges’ Associates wear robes in Court.	Intellectual Property List	A Judge-controlled List in the Commercial and Equity Division designed to manage proceedings regarding patents, trademarks, copyrights and associated matters.
Building Cases List	A Judge-controlled List in the Commercial and Equity Division where a Judge with specialist knowledge in building and construction law manages cases.	Listing Master	A specialist judicial officer responsible for listing cases to be heard in court by fixing dates for trial before the Judges and drawing up, maintaining and coordinating these lists of cases.
CEO	The Chief Executive Officer is an officer of the Court and is employed pursuant to section 106 (a) of the <i>Supreme Court Act 1986</i> and the <i>Public Sector Management and Employment Act 1998</i> . The Chief Executive Officer is responsible for the overall administration of the Court and oversees all the various work areas in the Court, with the exception of those areas that report directly to the judiciary.	Litigation Support Group (LSG)	Overseen by Master Bruce, the Litigation Support Group (LSG) comprises the support staff from the Master and the Registry. The LSG manages all proceedings commenced by Writ that have not been entered into a specialist List, from the commencement of the pleadings until the proceeding is referred to the Listing Master for pre-trial directions.
Circuit	Sittings of the Supreme Court, which are held in various regional districts within Victoria other than Melbourne.	Long Cases List	Proceedings before the Court that are expected to exceed 12 sitting days at trial are placed in the Long Cases List. These proceedings are managed by the Listing Master.
Civil List	List of civil proceedings awaiting trial before a Judge sitting with or without a jury.	Major Torts List	The Major Torts List is a Judge-controlled List, which manages tort litigation from the point of issue to referral to the Civil List for fixing for trial.
Commercial and Equity Division	A division of the Court’s Trial Division brought into effect on 1 February 2000, pursuant to Practice Note 4 of 1999.	Master	A Judicial Officer of the Court empowered to perform auxiliary judicial duties. Some Masters have specific duties, including listing, taxation and criminal appeals.
Commercial List	The Commercial List is a Judge-controlled List, designed to provide speedy resolution of commercial disputes.	Mean	The mean, commonly known as the arithmetic average, is computed by adding all the scores in the distribution and dividing by the number of scores.
Common Law Division	A division of the Court’s Trial Division brought into effect on 1 February 2000, pursuant to Practice Note 4 of 1999.	Median	The median is a measure of central tendency. It is the score that divides a distribution exactly in half. Exactly one half of the scores are less than or equal to the median, and exactly one half are greater than or equal to the median. Because exactly 50 per cent of the scores fall at or below the median, this value is equivalent to the 50th percentile.
Corporations List	A Judge-controlled List in the Commercial and Equity Division, the List manages the expeditious resolution of company disputes.		
Court of Appeal	Supreme Court when constituted by two or more Judges. Usually, it is three. It is possible to have more than one Court of Appeal sitting at a time.		

On the Papers	Orders made by the Court without the requirement that the parties be present. However, such orders are agreed to in writing by the parties.	Rules Committee	A committee of judicial members and members of the Bar Council and Law Institute of Victoria appointed by nomination, empowered by section 25 of the <i>Supreme Court Act</i> 1986 to make Rules of the Court.
Originating Motion	A form of process used to commence a proceeding where required by any Act or by the Rules, and where there is no defendant or when it is unlikely that there will be any substantial dispute of fact between the parties in a proceeding.	Security for Costs	The Court may, on application of a defendant, order that security for the costs of the defendant in the proceeding be paid by the plaintiff under certain circumstances.
Parens Patriae	Parent or Protector of the People.	Sheriff	The Sheriff is an officer of the Court and is employed pursuant to section 106 (a) of the <i>Supreme Court Act</i> 1986 and the <i>Public Sector Management and Employment Act</i> 1998.
Pending	A case that is awaiting final determination.	Subpoena	A Writ or Summons issued in a proceeding requiring the person to whom it is directed to be present at a particular place and time for a specified purpose under a penalty for non-attendance.
Percentile	The rank or percentile rank of a particular score is defined as the percentage of individuals in the distribution with scores at or below that particular value. For example, a 75th percentile means that 75 per cent of the scores in the distribution are at or below this value. A 90th percentile means that 90 per cent of the scores in the distribution are at or below this value.	Tipstaff	An Officer of the Court who sits next to the Associate and in front of the Judge during court. He or she is responsible for keeping order in the court and will usually swear in or affirm witnesses.
Pleadings	Pleadings are a series of written statements exchanged between the parties in a proceeding. They set out and clarify the claims and defences of the parties and help to define the issues that must be determined.	Trial Division	A division of the Court comprising the Chief Justice and generally about 20 other Judges. The Trial Division is further divided into three sub-divisions: the Commercial and Equity Division, Common Law Division and Criminal Division.
Practice Court	A court where short and/or urgent applications can be made. A Judge presides over the Practice Court.	Unrepresented Litigants	Individuals who do not have legal representation and who are representing themselves in a proceeding.
Presentment	A document filed in the Court, which describes the crimes alleged by the prosecution to have been committed by a defendant. Used by the State Office of Public Prosecutions.	Valuation Compensation and Planning List	A Judge-controlled List comprising cases relating to the valuation of land, compensation for the acquisition of land and planning appeals from the Victorian Civil and Administrative Tribunal (VCAT).
Pre-Trial Conference	A Pre-Trial Conference is a form of dispute resolution that usually takes place after a proceeding has been set down for trial. The conference is normally convened by the Prothonotary or the Senior Deputy Prothonotary.	VCAT	Victorian Civil and Administrative Tribunal.
Probate	Proving a Will. It is the Court's authority that a Will is valid, allowing the executor to collect the deceased's assets and so administer the estate according to the terms of the Will.	Victorian Taxation Appeals	A Judge-controlled List in the Commercial and Equity Division, where proceedings arise out of objections to an assessment, decision or determination by the Commissioner for State Revenue with respect to liability for any tax, duty, levy, fee, charge or other impost.
Prothonotary	The Prothonotary is an officer of the Court and is employed pursuant to section 106 (a) of the <i>Supreme Court Act</i> 1986 and the <i>Public Sector Management and Employment Act</i> 1998. The Prothonotary is also the Principal Registrar of the Court. He reports to the Chief Executive Officer.	Warrant	An authority under hand and seal of the Court directed to some officer to arrest an offender or recover property.
Registrar of Probates	The Registrar is an officer of the Court and is employed pursuant to section 106 (a) of the <i>Supreme Court Act</i> 1986 and the <i>Public Sector Management and Employment Act</i> 1998. He reports to the Chief Executive Officer.	Writ	Document under the seal of the Court commanding the person to whom it is addressed to do or forbear from doing some act. In the Court, most proceedings are commenced by Writ.

FREEDOM OF INFORMATION AND WEBSITE

FREEDOM OF INFORMATION

The Court is exempt from the provisions of the *Freedom of Information Act* 1982 (FOI Act) related to Court processes.

The FOI Act outlines a series of exceptions and exemptions that can be used as grounds to refuse access to documents that fall within certain categories. These categories of exceptions and exemptions are explained below.

Exceptions from Freedom of Information

Section 6 Court Documents:

The FOI Act does not apply to court documents (i.e. judgments) or documents that are created by staff in relation to the functions of a court or tribunal (i.e. court files or registry documents).

Section 14 Documents Available for Purchase/or Inspection:

Access cannot be granted under the FOI Act to the following documents that are open to public access:

- a part of public register, and can be purchased for a fee pursuant to an enactment (i.e. Land Title Searches/Birth Certificates);
- available for purchase via arrangements with an agency (i.e. legislation is available to be purchased at Information Victoria); or
- available for inspection at the Public Records Office (i.e. prison files more than 75 years old).

THE COURT'S WEBSITE

Re-launched on 22 May 2003, the new and improved Court website at www.supremecourt.vic.gov.au provides up-to-the-minute information to the public and the legal profession about the Court, its practices and procedures, lists and sittings, jury services, selected judgments, publications, support services and courtroom technology.

The website benefited from an extensive redesign based on feedback from both the Court's staff and the public, including:

- simplified navigation to various areas of the site;
- access to content via menus, search and a site map;
- updated presentation and appearance for enhanced navigation and usability;
- a non-frames site making it easy to bookmark pages; and
- the ability to increase text size through browser settings.

In addition, the website includes links to a variety of government, judicial and legal websites.

