

## **INDUSTRIAL COURT OF QUEENSLAND**

### **CITATION OF AUTHORITY**

#### **PN5 of 2014**

#### **PRACTICE NOTE**

1. This Practice Note applies to the citation of case law, whether in written or oral submissions, by parties appearing in any matter before the Court.

#### **Purpose**

2. The purpose of the Practice Note is:
  - (a) to ensure that the Court is provided with the most authoritative and functional versions of the relevant authorities; and
  - (b) to encourage parties to limit their citation of authority to those judgments which are apt to assist the Court materially in resolving the real matters in dispute.

#### **Citation**

3. When citing a judgment to the Court:
  - (a) A citation of the judgment from a set of authorised reports is to be preferred.
  - (b) If no such report is available, a citation of the judgment from another set of accredited reports is to be preferred.
  - (c) If no such reports are readily available, an unreported version of the judgment may be cited.
  - (d) The medium neutral citation of a judgment (if any) should be provided.
  - (e) The particular passages in the judgment which are relied upon should be identified.
  - (f) Reference should also be made to any subsequent judgment which has doubted, or not followed, the cited judgment in a relevant respect.

#### **Selectivity**

4. In selecting the authorities to be cited to the Court, parties are encouraged:
  - (a) to limit their citation to the authorities which are necessary to establish the principles or propositions which are relied upon;
  - (b) to avoid citing authorities which merely rephrase, illustrate or apply those principles or propositions in a way which is not apt to assist the Court materially in resolving the real matters in dispute.
5. An unreported judgment should not usually be cited unless it contains a statement of legal principle, or a material application of principle, which is not found in reported authority.

### **Definitions**

6. A set of authorised reports is one which has been approved, by a relevant court, to publish the authoritative version of its judgments. For judgments of Australian courts, the authorised reports are currently:
  - Commonwealth Law Reports (High Court of Australia)
  - Australian Capital Territory Law Reports (Supreme Court of the ACT)
  - Federal Court Reports (Federal Court of Australia)
  - New South Wales Law Reports (Supreme Court of NSW)
  - Northern Territory Law Reports (Supreme Court of NT)
  - Queensland Reports (Supreme Court of Queensland)
  - South Australian State Reports (Supreme Court of SA)
  - Tasmanian Reports (Supreme Court of Tasmania)
  - Victorian Reports (Supreme Court of Victoria)
  - Western Australian Reports (Supreme Court of WA).
7. A set of accredited reports is any set of published reports or notes of judgments which is accepted by the Court as providing a reliable record of the relevant judgment.
8. This Practice Note takes effect on 4 November 2014

Dated this Fourth day of November 2014

**JUSTICE MARTIN**  
**President**

**Operative Date:**  
**Industrial Court of Queensland**  
**Practice Note:**

**4 November 2014**  
**Citation of Authority in Industrial Court of Queensland**