

**PRACTICE DIRECTION NUMBER 6 OF 2021**

**INDUSTRIAL COURT OF QUEENSLAND  
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

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**CITATION OF AUTHORITY**

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

**Purpose**

1. The purpose of the Practice Direction is:
  - (a) to ensure that the Court or Commission 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 or decisions which are apt to assist the Court or Commission materially in resolving the real matters in dispute.

**Citation**

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

**Selectivity**

3. In selecting the authorities to be cited to the Court or Commission, parties are encouraged:
  - (a) to limit their citation to the authorities which are necessary to establish the principles or propositions which are relied upon; and
  - (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 or Commission materially in resolving the real matters in dispute.
4. An unreported judgment or decision 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**

5. A set of authorised reports is one which has been approved, by a relevant court, to publish the authoritative version of its judgments or decisions. For judgments or decisions 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); and
  - Western Australian Reports (Supreme Court of WA).
6. A set of accredited reports is any set of published reports or notes of judgments or decisions which is accepted by the Court or Commission as providing a reliable record of the relevant judgment or decision.
7. This Practice Direction will commence operation immediately.

**P. Davis**  
President  
24 March 2021