

2010-11 Queensland Floods Commission of Inquiry

Practice Direction No. 2

Cross examination by parties (or their legal representatives) who have been granted leave to appear

Evidence from witnesses other than those called by counsel assisting the Commission

1. All witnesses giving evidence in public hearings of the Inquiry will be called and examined by counsel assisting.
2. Where possible, the Commission's website will publish the identity of the witness and the week during which it is expected they will give evidence.
3. A party who wishes to cross examine a witness must give written notice to counsel assisting the Commission, specifying:
 - (i) the name of the individual that the party wishes to cross examine;
 - (ii) an estimate of the time which will be required for cross examination.
4. The notice in paragraph 3 must be received by counsel assisting the Commission at least three clear days prior to the commencement of the week during which it is proposed to call the relevant witness.
5. The notice in paragraph 3 should be accompanied by a copy of any document which might be shown to that witness in the course of cross examination. This requirement does not apply to documents which are available via the Commission's website.
6. A party who wishes to have evidence adduced from a witness other than a witness proposed to be called by counsel assisting must provide written notice to counsel assisting the Commission, accompanied by a proof of evidence from the witness.
7. The notice in paragraph 6 must be received by counsel assisting the Commission:
 - (i) in the case of any witness whose evidence relates to the operation of the Wivenhoe and Somerset Dams, by 6 April 2011;
 - (ii) in the case of any witness whose evidence relates to events in Toowoomba, Dalby, Warwick, the Lockyer Valley or surrounding areas, by 11 April 2011;
 - (iii) in the case of any witness whose evidence relates to events in Goondiwindi, St George or surrounding areas by 18 April 2011;
 - (iv) in the case of any witness whose evidence relates to events in Rockhampton by 27 April 2011.
8. A further direction will issue in relation to the deadlines applicable to witnesses whose evidence relates to other events or issues which fall within the Terms of Reference.
9. Nothing in this practice direction prevents a party from seeking leave to cross examine a person at any time during the Inquiry if something occurs during the Inquiry which leads the party to believe that his or her interests may be adversely affected.