

## 2010-11 Queensland Floods Commission of Inquiry

### Practice Direction No. 4

#### Calling and cross examining witnesses

1. This practice direction replaces Practice Directions 2, 2A and 3.
2. All witnesses giving evidence in public hearings of the Commission will be called and examined by Counsel assisting the Commission.
3. While the hearings are on foot:
  - a. where possible, 48 hours in advance of a witness being called to give evidence, the Commission will publish on its website the name of the witness and the statement of the witness; and
  - b. by 6 p.m. the day before a witness may be called, the Commission will advise the parties with leave to appear which witnesses it expects to call the following day.
4. A party who wishes to cross examine a witness must give written notice to the Commissioner specifying:
  - a. the name of the witness the party wishes to cross examine;
  - b. an estimate of the time which will be required for cross examination.
5. The notice in paragraph 4 must be received by the Executive Director to the Commission by 9 a.m. of the day the witness is called to give evidence.
6. The notice in paragraph 4 should be accompanied by a copy of any document which might be shown to the witness in the course of the cross examination.
7. If the document has already been provided to the Commission, the party must identify the document in the notice under paragraph 4.
8. A copy of a document which might be shown to a witness that is not already available via the Commission's website must be provided to the Commission in one of the following electronic formats:
  - a. Text for plain text records
  - b. PDF/A or PDF for formatted document type records
  - c. TIFF for images such as plans
  - d. JPEG2000 or JPEG for photos
  - e. MPEG4 for video.
9. A party who wishes to have evidence adduced from a witness other than a witness proposed to be called by Counsel assisting the Commission must provide written notice to Counsel assisting the Commission, accompanied by a proof of evidence from the witness.
10. 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.