



HIGH COURT OF AUSTRALIA

COMPILATION OF CORE APPEAL BOOKS AND FURTHER MATERIALS

Parties will be required to prepare and file books including the core appeal book (CAB), Appellant's book of further materials, Respondent's book of further materials and the joint book of authorities (JBA) in each appeal. Books should be compiled in accordance with the High Court Rules 2004. It is the responsibility of the parties to read and comply with the Rules. The requirements for books are set out in Rule 42.13 and Rule 44.

Books which do not comply with the requirements will not be accepted for filing in the Registry.

General requirements

1. The book must have a title page which sets out the title of the proceedings, a heading describing the document and the names and addresses of the solicitors for all the parties (or the names and addresses of parties who are self-represented), including a contact telephone number and facsimile number or email address.
2. Page size should be international A4 and printing should be on both sides of the paper with a 2.5 centimetre margin on each side of each page.
3. The pages of the book shall be bound in separate volumes of **not more than 500 pages** (i.e. 250 sheets). Where the book will be bound in 2 or more volumes the index should be amended to insert a sub-heading "Volume ..." (insert the relevant number) before the first document which will appear in each volume. In addition, on the title page the words "Volume of ..." (insert the relevant volume number and total number of volumes) should appear immediately following the heading. The pages included in each volume should also be shown on the title page: e.g. pp 1-459. A copy of the entire index should be included in each volume.
4. Books should be bound by means of **plastic comb binding** so that the books can be left open at a required page. The books should not have plastic covers.

Page format

5. Pages should be numbered consecutively and every tenth line should be numbered in the left margin. Page numbers should begin on the title page as page 1. **All pages must be**

numbered, including the separate pages referred to in paragraph 8 below and any blank pages.

6. Where separate judgments are given by the members of the court below, a page number should be listed in the index for the commencement of each judgment.
7. All pages should be clearly legible and contain no handwritten marks or comments.
8. Each document should be preceded by a separate page showing the date and a short description of the nature of each document. The page number for the separate page preceding each document shall be listed in the index as the first page number for each document.
9. The original pagination of all documents reproduced in the book, including judgments of the courts below, should be retained.
10. The formal headings should not be removed from documents (including pleadings, notices of appeal, orders and reasons for judgment of the court below) when they are reproduced in the book.

Contents of the core appeal book

11. The core appeal book (CAB) must contain the documents referred to in Rule 42.13.
12. Ten (10) hard copies and an electronic copy must be filed in the Registry within 21 days of the notice of appeal being filed. Three (3) hard copies and one electronic copy must be served on each respondent who has filed an appearance. (Rule 42.13.10)
13. Any copies to be stamped for service should be presented to the Registry when the CAB is filed.

Book of further materials

14. Each party should file, together with its written submissions, a book containing any further material (AFM or RFM) before the lower court or the primary Judge or tribunal (including oral or documentary evidence) that is not reproduced in the CAB to which counsel has referred in the written submissions and intends to refer in oral submissions.
15. Ten (10) hard copies and an electronic copy of the AFM or RFM must be filed in the Registry at the same time as the written submissions. One (1) hard copy and an electronic copy must be served on each other party and any interveners.
16. Any copies to be stamped for service should be presented to the Registry when the hard copies are filed.

Joint book of authorities

17. The requirements for the joint book of authorities (JBA) are set out in Practice Direction No. 1 of 2017.

18. The appellant must file nine (9) hard copies and an electronic copy of the JBA within 14 days of the time limited for the filing of a reply. One hard copy and an electronic copy must be served on each respondent and any interveners within the same time. The electronic copy of the JBA should match the hard copy. For example, if the hard copy JBA is in two volumes, the two electronic files should match the hard copy.
19. Any copies to be stamped for service should be presented to the Registry when the hard copies of the JBA are filed.
20. The hard copy of the JBA should contain numbered tabs for each item. The tabs should not be paginated.
21. The appellant must also provide each individual authority as a separate electronic file. The pagination of the electronic file should match the hard copy. For example, if the case commences at page 12, the electronic pagination should start at page 12, not at page 1. They should be named using the short title, citation and reference to the tab they appear at in the JBA. For example:
 - AK v Western Australia 2008 232 CLR 438 Tab 1
 - Chiro v The Queen 2017 347 ALR 546 Tab 2
 - Douglass v The Queen 2012 86 ALJR 1086 Tab 3
 - Supreme Court General Civil Procedure Rules 2015 VIC date 01-12-15 Tab 8
 - Justice and Other Legislation Amendment Act 2013 Qld as enacted Tab 17
 - Consolidated Chancery Order 1860 UK 1860 print Tab 84
 - Blacks Law Dictionary 6th ed 1990 p1607 Tab 23
 - Equity – Doctrines and Remedies 4th ed 2002 chapter 12 Tab 15
 - Fraud and Surprise in Legal Proceedings 1955 18 MLR 441 Tab 21
22. Where possible legislation should be downloaded rather than scanned to preserve any internal bookmarks for ease of navigation.

General requirements of electronic copies

23. Where possible the electronic copy of the material is to be forwarded as a PDF attachment to an email and sent to lodgments@hcourt.gov.au. Emails received by the Court will prompt an automated response confirming receipt. The Registry will advise if there are any problems with the PDF document provided. Contact the Registry on 02 6270 6874 for further information.
24. The email attachment must not exceed 8 Megabytes (Mb). If the electronic material is larger than 8Mb send an email to the lodgments email address and either a dropbox link will be provided so that the material can be uploaded or other arrangements made.

25. The covering email should identify any material which is subject to a non-publication order, a statutory restriction or a suppression order.

Technical requirements of the e-book

26. Deactivate any security settings in the document. Also remove any hidden text, such as markings or annotations (including track changes), from source documents before converting them to PDF.

27. Documents should be scanned at 300 dpi resolution.

28. Text that is scanned to PDF must use the Optical Character Recognition (OCR) feature. Using the OCR feature will ensure your scanned PDF version is searchable. To confirm the document is searchable, use the word search feature of any software designed to view PDF documents.

29. Enable the “commenting” functionality for the PDF document.

30. The naming protocol for the document is to use the HCA file number followed by the short title of the matter and a description of the document. For example:

- S1-2016 Smith v Jones – CAB;
- S1-2016 Smith v Jones – AFM
- S1-2016 Smith v Jones – RFM
- S1-2016 Smith v Jones – JBA
- M56-2016 R & Anor v IBAC & Anor– CAB
- M56-2016 R & Anor v IBAC & Anor – AFM
- M56-2016 R & Anor v IBAC & Anor – R1FM
- M56-2016 R & Anor v IBAC & Anor – R2FM
- M56-2016 R & Anor v IBAC & Anor - JBA