



## 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 (AFM), Respondent’s book of further materials (RFM) and the joint book of authorities (JBA) in each appeal. Books should be compiled in accordance with the *High Court Rules 2004* (Cth). It is the responsibility of the parties to read and comply with the Rules. The requirements for books are set out in Rules 42.13, 44.02.4 and 44.03.4.

#### Filing documents

All documents to be filed must be lodged in the Digital Lodgment System (DLS) Portal. They will not be filed until approved by Registry staff. Books which do not comply with the requirements of the Rules will not be accepted for filing.

#### General requirements

1. Each volume of the book must have a title page which sets out the full and correct title of the proceedings, the volume number, and the names of the solicitors for each party.
2. Page size should be international A4 with a 2.5-centimetre margin on each side of each page.
3. The pages of the book shall be in separate volumes of **not more than 500 pages** (i.e., 250 sheets). Where the book will be 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 and each volume should commence with a title page.

#### Page format and numbering

4. Pages should be numbered consecutively. **All pages must be numbered, including the title page, index, and any blank pages.**
5. Page numbers should be in red and appear centred at the top of the page.

6. For the first volume page numbers should begin on the title page with page number 2. That is, the title page of the first or sole volume should bear page number 2, as the DLS will insert a page in the front of the document to record its filing date, which will become page number 1. For subsequent volumes, the title page should not be the next number immediately after the last page on the previous volume but should allow for the filing cover sheet which the DLS will insert to bear the next page number.
7. 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.
8. All pages should be clearly legible and contain no handwritten marks, highlighting or comments.
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. The CAB must be filed in the Registry within 21 days of the notice of appeal being filed (Rule 42.13.10).

#### **Book of further materials**

13. Each party should file, together with its written submissions, a book containing any further material 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.
14. The AFM or RFM must be filed in the DLS Portal at the same time as the written submissions.

#### **Joint book of authorities**

15. The requirements for the joint book of authorities (JBA) are set out in Practice Direction No. 1 of 2019.
16. The appellant must file an electronic copy of the JBA within 14 days of the time limited for the filing of a reply.
17. Each part of the JBA should be provided as a separate volume or volumes. The pagination in each volume of the electronic book should reflect the pagination in the index.

### Individual authorities

18. The appellant must also provide each individual authority, including any legislation, as a separate electronic file. The individual authorities should also be provided to the other parties and any interveners.
19. Where possible, individual legislation files should be downloaded rather than scanned to preserve any internal bookmarks for ease of navigation.
20. The pagination of the individual file should match the pagination in the JBA. 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 item they appear at in the JBA. For example:
  - 1. AK v Western Australia 2008 232 CLR 438
  - 2. Chiro v The Queen 2017 347 ALR 546
  - 3. Douglass v The Queen 2012 86 ALJR 1086
  - 8. Supreme Court General Civil Procedure Rules 2015 VIC date 01-12-15
  - 17. Justice and Other Legislation Amendment Act 2013 Qld as enacted
  - 84. Consolidated Chancery Order 1860 UK 1860 print
  - 23. Blacks Law Dictionary 6th ed 1990 p1607
  - 15. Equity – Doctrines and Remedies 4th ed 2002 chapter 12
  - 12. Fraud and Surprise in Legal Proceedings 1955 18 MLR 441
21. The authority files are to be forwarded as PDF attachments to an email sent to [lodgments@hcourt.gov.au](mailto: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 documents provided. Contact the Registry on 02 6270 6855 for further information.
22. Emails with attachments 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 drop box link will be provided so that the material can be uploaded, or other arrangements made.

### Technical requirements of the e-book

23. Deactivate any security settings in the document. Also remove any hidden text, such as markings or annotations (including tracked changes), from source documents before converting them to PDF.
24. Documents should be scanned at 300 dpi resolution.
25. Enable the “commenting” functionality for the PDF document.
26. The file size of documents to be uploaded to the DLS is limited to 50Mb at one time. If individual volumes are large, they may need to be uploaded separately.