

s90

In a criminal proceeding, the court may refuse to admit evidence of an admission, or refuse to admit the evidence to prove a particular fact, if:
(a) the evidence is adduced by the prosecution, and

(b) having regard to the circumstances in which the admission was made, it would be unfair to a defendant to use the evidence

PART 3.11 - DISCRETIONS TO EXCLUDE EVIDENCE
s135

s135

General discretion to exclude if PV >
(a) be unfairly prejudicial to a party, or
(b) be misleading or confusing, or
(c) cause or result in undue waste of time.

s136

The court may limit the use to be made of evidence if there is a danger that a particular use of the evidence might:
(a) be unfairly prejudicial to a party, or
(b) be misleading or confusing.

s137

In a criminal proceeding, the court must refuse to admit evidence adduced by the prosecutor if its probative value is outweighed by the danger of unfair prejudice to the defendant.

Le E, T balance of PV v CI/J, P to Accused, USEofR

Reliability is related to PV which T on rationally effect the probability of the existance of a FII. R is not related to Reliability.

Papakosmos (1999) HCA

Papakosmos (1999) HCA

Sandilands (2002)HCA

Relationship E aduced by D does not attrat 137

56(1)(2)

E. A. T. R, subject to rest of act

EVIDENCE ADMITTED

Building a case, BP Civil s140, BRD Crim 141, Voir Dire s 142