

s144

JUDICAL NOTICE
(1)(2)(3) Allows evidence in
(4) Allow partyies to make
submissions

EVIDENCE

RELEVANCE

s190(3)(a)(b)(4)(a)-(d)
For Civil case
most exclusionary rules
can be ordered not to
apply if
Not genuinely in dispute
would waste >>\$\$, >>Time

55(2)(a)
Credibility may be
relevant

55(1)
FRFII, fact relevant to
FII
FII, set of material
facts in legal pleadings
legal consequences
attach to
Sandilands
(2002)HCA, Mc

55(2)(b)
other evidence

55(2)(a)
failure to adduce

RELEVANCE, CROSS-EXAMINATION 15.50

TEST THE EVIDENCE IN CROSS EXAMINATION, SHOW THE WITNESS IS NOT TO BE BELEIVED	Malsion(1995) A Crim R	Wakeley (1990) HCA
logical connection was so slight that the fact is treated as to remote and the evidence of it is as inadmissible	Stephenson (1976) VR	
the limits to CXM is not suseptibal of precise defn. Nor is there any general test	Wakeley (1990) HCA	

"could" means a wide
ambit (Nye 2002 NSWSC)

Bare parrallel evidence
rule, not R A.

Police Giving evidence
that person in photo
was accused added
nothing to the value of
the information availble
to the jury. Smith (2001)
HCA

Extra parrallel evidence
is R, A.

IF Police knew something
extra that was not
avaible to Jury such as
the clothing, gait was
particular to D then A
Goodall, Palmer

R v TA NSWCCA 2003,
rely on Smith, that
Victims drugged status
made any evidence given
by her irrelevant

55(1)
R E is E if accepted
could rationally effect
(directly/indirectly) the
probalitiy of the
esistance of a FII
Papakosmos
(1999) HCA

55(1)
Relevance NT on judges
view of whether Jury
would accept.
Adam (2001)
HCA

55(1)
Relevance and timing res
gestae, in the timing of
things. Must be ,
connected with the
issues at hand, Ga. K JJ
Papokosmos
(1999) HCA

55(1)
Lo E, T conection::Fiat
case.
Stephenson
(1976) VR
Papokosmos
(1999) HCA
Sandilands
(2002)HCA
Graham
(1998)HCA

55(1)
E N R is limitims factor,
s136 is the gateway,
(Ratten)
Papokosmos
(1999) HCA

NOT GOING
TO CHAR

NOT CRIM

NO

NO

Charactr Part 3.9
s109-->only app to crim

110

hearsay, opinion, cred,
tend. rule not apply to
(1) E A by D wrt char.
(2) E A generally
(3) E A particular

111

(1) hearsay, opinion,
cred, tend. rule not
apply to E A by Co-D
(a)(b)(c)

(2) E 2 disprove E.

s112-->Leave reqd

s192

A = Admissible
Ad = adduce
CX = cross examination
D||ID = direct or indirect
D = defendant
E = Evidence
FII = Fact in issue
FRFII = Fact relevant to FII
I = identification
Le= Legal
Lo= Logical
P = prejudice
Pr = prosecution
PPRepBM = Person who Percieved the Representation Being Made
PV= Probative Value
R = Relevance
Re = Resources
Rep = Representation
SuPV = Substantial Probative Value
SiPV = Significant Probative Value
S2 = Subject to
T = Turns ON
V = Visual
W = witness
WRT = with respect to