

# Similar fact evidence and how far it is admissible in criminal proceedings.

University of Wolverhampton - Chapter 90



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## IS 'SIMILAR FACT' EVIDENCE ADMISSIBLE IN DISCIPLINARY AND ARBITRATION PROCEEDINGS?

Similar act evidence is generally evidence that is relevant to an issue in establishing a design or in rebutting a possible defence. Secondly, and again particularly when the trial is by jury, it will be necessary to weigh the potential probative value of the evidence against its potential for causing unfair prejudice: unless the former is judged to outweigh the latter by a considerable margin, the evidence is likely to be excluded.

### Witness evidence—similar facts evidence

The same documents fell under attorney client privilege. I do not see how the Claimants can plead the case in any other way at this stage. Corroborative evidence might also come from the statement of one independent witness providing testimony that matches the account of events described by another witness.

### Similar Act Evidence in Criminal Trials

He was not propounding an inflexible rule of admissibility.

### Admissibility Evidence Notes Final (3)

A person licensed or certified as a clinical social worker, marriage and family therapist, or mental health counselor under the laws of this state, who is engaged primarily in the diagnosis or treatment of a mental or emotional condition, including alcoholism and other drug addiction; or 4.

### Similar Act Evidence in Criminal Trials

These exceptions to disclosure were outlined in the benchmark disclosure case of *R v Stinchcombe* 1991. One of the fundamental considerations of criminal evidence law is the balance of justice to the accused against wrongful convictions, ensuring a fair trial and fairness to the victim.

## **Similar Facts Evidence Introduction ~ The Law of Evidence**

This probative value of evidence goes towards the judge, or the judge and jury, reaching their decision of proof beyond a reasonable doubt in criminal court, or proof within a balance of probabilities in civil court. But Huerling and its progeny assume identity is not an issue in those cases. It cannot be brought in just because it is similar.

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