

Rule 61(1)(b)

Form 16 Notice of intention by defendant to adduce discreditable conduct evidence

(insert front sheet)

**NOTICE OF INTENTION BY DEFENDANT TO ADDUCE DISCREDITABLE
CONDUCT EVIDENCE**
Evidence Act 1929 s 34P(4)

TO THE DEFENDANT: *(insert name of co-defendant)*

AND TO THE DIRECTOR OF PUBLIC PROSECUTIONS

Notice

The defendant *(insert name)*..... intends at trial to seek to
adduce evidence of discreditable conduct of *(insert name)*

Particulars of evidence of conduct

A. In respect of the first item of discreditable conduct:

A1. The nature of the discreditable conduct is
.....
.....

A2. The witness from whom the evidence is to be led, whether in examination-in-
chief or in cross-examination, is
.....
.....

A3. The use of the evidence said to be permissible under section 34P(2)(b) in
respect of count *(identify the first count to which the evidence is said to be
relevant)* is
.....
.....
.....

A4. The use of the evidence said to be permissible under section 34P(2)(b) in respect of count (*identify the second count to which the evidence is said to be relevant*) is

.....
.....
.....

(Repeat number 4 for each further count to which the evidence is said to be relevant)

B. (Repeat A1 to A4 for each additional item of discreditable conduct alleged)

Action required

If you wish to object to the admission of the evidence of discreditable conduct proposed to be adduced by your co-defendant you must, at least 5 clear business days before the listed trial date, file in the Court and serve on all other parties to the proceeding a Notice using form 17 that sets out the grounds of your objection.

Date:

(signed)
Defendant/Solicitor for the defendant (*delete whichever is inapplicable*)

Note

This Notice must be filed in the Court and served on all other parties to the proceeding at least 21 clear calendar days before the listed trial date.