

**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.