

Supreme Court Rules 1937—Form 1.1D

(see o 1AB r 3)

Notice of intention to adduce tendency evidence

In the Supreme Court of the Australian Capital Territory

*[Criminal jurisdiction]

No _____ of (*year*)

(*for civil matters*)

(*name/s*)

Plaintiff[s]*

(*name/s*)

Defendant[s]*

(*for criminal matters*)

The Queen

and

(*name of accused person*)

To (*name*) of (*address*)

Under the *Evidence Act 1995* (Cwlth), section 97 (1), I, (*name*) give notice that I intend to adduce evidence of *[the * [character/ reputation/ conduct] of (*name*)/ a tendency that (*name*) *[has/had]] to prove that *[he/she] *[has/had] a tendency to *[act in a particular way/ have a particular state of mind].

The substance of the evidence of the kind referred to in that subsection that I intend to adduce is as follows:

(*substance of the evidence*)

Particulars of the *[character/ reputation/ conduct/ tendency] of which evidence is to be adduced are as follows:

(particulars)

*(if that evidence consists of, or includes, evidence of the conduct of a person) *[Particulars of—*

- (a) the date, time, place and circumstances at or in which the conduct occurred; and
- (b) the names of each person who saw, heard or otherwise perceived the conduct; and

(in a civil proceeding—

**(c) the address of each person so named]);*

so far as they are known to me, are as follows:

(particulars)]

Particulars of the tendency sought to be proved by the evidence are as follows:

(particulars)

Date:

(signature of party or party's lawyer)

(name of party or party's lawyer)

(address)

**(delete if, or whichever is, inapplicable)*

Endnote

- 1 This form was originally in the *Supreme Court Rules 1937*. Under the *Court Procedures Act 2004* A2004-59, pt 8, the form became a form approved under that Act.

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