



THOMSON REUTERS

# Update Summary

PLEASE CIRCULATE IMMEDIATELY!

**UPDATE 114**

**AUGUST 2023**

**UNIFORM EVIDENCE LAW**

**Stephen J Odgers SC**

**Material Code 42475507**

**Print Post Approved PP255003/06556**

© Thomson Reuters (Professional) Australia Limited 2023

**Looseleaf Support Service**

You can now access the current list of page numbers at

<http://www.thomsonreuters.com.au/support/product-support.aspx?id=/mediaTree/58599>. If you have any questions or comments, or to order missing pages, please contact Customer Care LTA ANZ on 1300 304 195 Fax: 1300 304 196 Email: [Care.ANZ@thomsonreuters.com](mailto:Care.ANZ@thomsonreuters.com)

Stephen Odgers SC has added the following updates to Uniform Evidence Law:

Obligation of trial court to act in the absence of objection.

- Al-Salmani v R [2023] NSWCCA 83 at [61]–[57].

[EA.13.210] Competence to give unsworn evidence (s 13(5))

- SC v R [2023] NSWCCA 111

[EA.18.180] Procedure

- New commentary

[EA.37.270] Previous representations admitted as evidence in chief.

- Elliot (a pseudonym) v The King [2023] VSCA 48 at [28] (no “causal connection” could be established between the asking of the questions and the answers subsequently given).

[EA.46.60] The rule

Al-Salmani v R [2023] NSWCCA 83

[EA.55.330] Circumstantial evidence

Paulino v The Queen [2018] VSCA 306 at [169]–[184]; Dwyer (a pseudonym) v The King [2023] VSCA 85 at [96].