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email

Analyzed.

notes

Each

notes

**Exhibits**

I have an exhibit list that I will hand up in lieu of the actual exhibits.

**Conclusion**

That is the case for the Prosecution.

**Bail**

See bail undertaking

### **No Case Submission Response**

The Crown does not accept defence's submission that there is no case to answer. Your Honour, must note that the requirement of a prima facie case is when the Crown case is taken at its highest. It is the Crown submission that the evidence satisfies this requirement that a properly instructed jury could convict of these offences, rather than whether they ought to be

Your Honour, as you are aware, the court should only be able to rule that a prima facie case has not been made out:

- Where there has been no evidence to prove an essential element of the offence; and
- The evidence adduced has been so discredited as a result of cross-examination as is so manifestly unreliable that no reasonable tribunal could safely convict upon it.

It follows that, if there is evidence (even if tenuous or inherently weak or vague) which can be taken into account by the jury in its deliberations and that evidence is capable of supporting a verdict of guilty, the matter must be left to the jury for its decision. Or, to put the matter in more usual terms, a verdict of not guilty may be directed only if there is a defect in the evidence such that, taken at its highest, it will not sustain a verdict of guilty: *Doney v The Queen* (1990) 171 CLR 207 at 214-215



**General Correspondence**  
*Correspondence including emails, file notes and memorandums*

1

**Magistrates Court Mention Results**  
*If committal file*

2

**Defence Submissions**  
*Including important memorandums*

3

**Indictment/Observations**  
*Copies of the indictment, observations and/or schedule of facts, Victim Impact Statements, DVO information*

4

**Criminal/Traffic History**  
*Criminal and/or Traffic History, similar prior QP9's, sentencing remarks, pre-sentence custody details*

5

**Brief of Evidence/Pros Brief**  
*Index to Brief, including s93A statements, copies of statements, Prosecutor and Legal Officer working notes, cases and comparatives*

6

**Exhibit Register List**  
*Copy of exhibit register, copies of paper exhibits e.g. Drug Analyst Certificate*

7

**Records of Interview**  
*Transcript of ROI*

8

**Committal and Trial Transcripts**  
*Transcripts from committal hearing and trials, bail undertaking and transmission sheet*

9

**Police Brief**  
*QP9's for current offences, objections to bail, police correspondence*

10

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**Witnesses - [where known at time of commencement of proceedings]**

**Category:**

(e.g. Victim, Informant, Witness 1)

Brief synopsis of their evidence

**Property**

Charge 1 of 1: Total value: \$0.00

Restitution/compensation sought: \$0.00

Details:

**Forfeiture/pecuniary penalty order sought:**

**Previous history:** No history

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