6. Affected child witnesses [s. 590AH(2)(i) Criminal Code]

The following conditions must be met before a witness can be considered an affected child pursuant to Division 4A of the *Evidence Act 1977* 'Evidence of affected children'.

1. The proceeding must be a relevant proceeding for a relevant offence: s. 21AC of the *Evidence Act 1977*.
2. The proceeding must concern:
   a. an offence of a sexual nature as defined in s. 21AC of the *Evidence Act 1977*; or
   b. an offence involving violence as defined in s. 21AC of the *Evidence Act 1977*; and the child and the defendant have or had a prescribed relationship pursuant to s. 21AC of the *Evidence Act 1977*.
3. The child witness is under 16, or a child aged 16 or 17 who also satisfies the definition of a special witness under s. 21AC of the *Evidence Act 1977*.
4. The child is a witness and NOT the defendant in this proceeding.

Name of 'affected child'	Reason witness is considered an 'affected child'
Nil	

7. Notice of *Evidence Act* Section 93A Device Statement in a Relevant Proceeding (QP 0547)

Where the prosecution considers a witness statement to be an *Evidence Act* section 93A device statement a written notice (QP 0547) is to be attached: s. 590AOA(2).

8. Statements of persons who are dead or incapable of testifying [s. 590AH(2)(f) and 590C(2) (b) to (d)]

The prosecution intends to adduce evidence of a representation under s. 93B of the *Evidence Act 1977* in relation to the following:

Name of person making the representation	Reason person is unavailable to give evidence	Name of person who saw, heard or perceived the representation	Details of representation and the circumstances in which it was made
Nil			

9. Witnesses who would tend to help the case of the accused person [s. 590AB(2)(b)]
(and who are not proposed prosecution witnesses)

No.	Name	Role	Statement attached Y/N	Number of pages

Receipt Acknowledgement

I, _____ , acknowledge receipt of the above-mentioned items or copies.

Signatures: _____   _____
(Person receiving items)   (Date)

_____   _____
(Prosecutions)   (Date)