

Section 590AS of the Criminal Code provides that the prosecution may, on request, allow an appropriate person to view or examine a thing that is original evidence and that is not sensitive evidence under the supervision of the prosecution and subject to any other conditions the prosecution considers appropriate to protect the integrity of the thing.

**For relevant proceedings only**

**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, pursuant to section 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 section 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 section 21AC of the *Evidence Act 1977*.
4. The child is a witness and NOT the defendant in this proceeding.

No.	Name of 'affected child'	Reasons witness is considered an 'affected child'

**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 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

**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)

