

**IN THE SUPREME COURT OF VICTORIA
CRIMINAL DIVISION**

S E C R

BETWEEN:

DIRECTOR OF PUBLIC PROSECUTIONS

- and -

APPLICATION FOR PRE TRIAL CROSS-EXAMINATION s 198A

Date of document:	Solicitor's code:
Filed on behalf of:	Telephone:
[name of solicitor]	Ref:
[name of legal practice]	Attention:
[professional address]	Email:

1. Pursuant to **s 198A** of the *Criminal Procedure Act 2009* the accused makes application for an Order to cross-examine the witnesses set out in Table A.
2. Are any of the witnesses a complainant in a criminal proceeding to which 123 of the Criminal Procedure Act applies? ***Yes / No**
*If yes, name all such witnesses:
3. Are any of the witnesses under 18 years of age or cognitively impaired (specified witness see s 124(5) *Criminal Procedure Act 2009*)? ***Yes / No**
*If yes, name all such witnesses and whether an intermediary is sought:
4. Do any of the witnesses have unavailable dates within the next 3 months? ***Yes / No**
*If yes, provide details of the unsuitable dates (including reasons for unavailability):

Name of Witness	Unsuitable Date(s)	Reason(s) for Unavailability

5. Do any of the witnesses require an interpreter? ***Yes / No**

*If yes, name which witnesses require an interpreter & the applicable language:

6. Are there any s18 *Evidence Act 2008* ('Evidence Act') issues? ***Yes / No**

*If yes, name all witnesses in respect of which there are s18 Evidence Act issues:

7. Are there any s128 Evidence Act issues? ***Yes / No**

*If yes, name all witnesses in respect of which there are s128 Evidence Act issues:

8. What is the total estimated duration of the hearing of the cross-examinations?

**delete if not applicable*

Table A

Name of witness	Issue	Purpose & Justification	Does the DPP oppose
<i>Name and hand-up brief page number</i>	<i>Indicate the issues identified by the accused to which the proposed questioning relates. Issues can be separated into rows.</i>	<i>Indicate the how cross-examination is directly and substantially relevant to that issue any why in the interests of justice the witness should be cross examined and why those reasons are substantial having regard to ss 198A(3) & (4))</i>	<i>Yes/No If yes outline the basis of opposition</i>
1.			
2.			

**Delete/insert rows as required*

Dated:

Signed: _____ Signed: _____

Name: _____ Name: _____

Solicitor/Counsel for the Accused Solicitor/Counsel for the DPP