

Managing Unfavourable or Hostile Witnesses in NSW Courts

Legal Guide for Practitioners



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Hostile witnesses provide evidence that is adverse to the party that called them and are reluctant to cooperate.



Unfavourable witnesses may give inconsistent testimony, be unwilling to support the calling party, or appear dishonest.



Section 38 of the Evidence Act 1995 (NSW) allows a party to cross-examine a hostile witness with the court's permission.



Section 43 outlines the procedure for dealing with prior inconsistent statements made by witnesses during cross-examination.



Effective cross-examination techniques include clear questioning, handling evasive responses, and maintaining control.



Limitations on cross-examination ensure fairness and prevent abuse while adhering to legal boundaries.



A witness may be declared hostile if they provide unfavourable evidence, are unwilling to tell the truth, or give inconsistent statements.



The application process to declare a witness hostile involves providing evidence and the court's review.



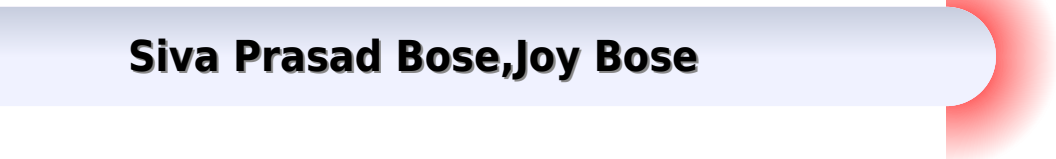
Prior inconsistent statements can be used to challenge a hostile witness's credibility if they are relevant, proven, and admissible.

Strategies for presenting inconsistent statements include highlighting discrepancies, using documented evidence, and methodical questioning.



Managing The Courts

Siva Prasad Bose, Joy Bose



Managing The Courts:

Handbook of Court Administration and Management Steven W. Hays, Cole Blease Graham Jr., 2017-10-19 Blending both the theoretical and applied aspects of contemporary issues in court management this reference text offers in depth coverage of all major topics and developments in judicial systems administration It is suitable for use in the classroom or for self study Providing the background material to clarify even the most technical management application this book presents the history and theory of the court management movement examines the separation of powers doctrine and its relationship to judicial independence discusses the latest developments in court reform the American Bar Association standards alternative dispute resolution techniques and caseflow considerations analyzes unified court budgeting and revenue generation by judicial systems describes personnel administration training and jury management and elucidates court performance evaluation planning approaches the use of cameras in the courtroom and audio visual applications Managing the Courts Ernest C. Friesen, Edward C. Gallas, Nesta M. Gallas, 1971 **Caseflow Management** David C. Steelman, John Goerdt, James E. McMillan, 2004 To reduce and avoid delay American courts have developed a set of principles and techniques since the 1970s that we refer to as caseflow management The main premise of this book is that caseflow management is more than just a way to reduce or avoid delay however In fact caseflow management is the conceptual heart of court management in general We can fully understand courts as organizations only if we understand the requirements of caseflow management In managing a court the chief judge and court managers should focus first on caseflow management not just because it addresses problems of delay or backlog but more importantly because it is the very foundation of court management in general from the Introduction p xi **Office of Court Administration-- Managing the Courts** New York (State). Department of Audit and Control. Division of Management Audit, 1990 Managing the Courts Sol Wachtler, New York (State). Unified Court System, 1990 **Modern Court Management: Trends in the Role of the Court Executive** David J. Saari, 1970 *Office of Court Administration, Managing the Courts, Revenue at Risk in Nassau County* New York (State). Department of Audit and Control, New York (State). Department of Audit and Control. Division of Management Audit, 1989 *Managing Appeals in Federal Courts*, 1988 **Total Quality Management in the Courts** Alexander B. Aikman, 1994 **The Art and Practice of Court Administration** Alexander B. Aikman, 2006-12-15 The Art and Practice of Court Administration explores the context in which court administration is practiced and identifies the qualities and skills court administrators need Divided into two major parts part one covers the history of the field and how courts are organized environmental conditions in which court administration is practiced special impact on courts of the elected clerk of court prosecutor and the sheriff the judge s administrative roles as well as how a judge s judicial and administrative roles work with management The second part reviews a new approach for setting and adjusting priorities among the multiple functions courts perform the Hierarchy of Court Administration It defines priorities analyzes court roles that establish mission critical functions and sets an agenda for

advancing courts throughout this century Thorough and complete The Art and Practice of Court Administration details how courts operate the court administrator's position and responsibilities and approaches to issues and problems Managing Courts in Changing Times NATIONAL CONFERENCE ON COURT MANAGEMENT (2nd : 1990 : Phoenix), 1990 Managing Change in the Courts National Center for State Courts. Institute for Court Management, State Justice Institute, 1993 **The Future of State Court Management** James A. Gazell, 1978 This book describes the future of state court management by focusing on three objectives the unification of state judiciaries the statewide financing of all courts and the emergence of judicial personnel systems **American Court Management** David J. Saari, 1982-08-26 The management of the judiciary a subject of constant concern to those in the fields of law and public administration has been closely examined by a widening audience within the past two decades The resultant viewpoints have been fragmentary and conflicting however by failing to provide a desirable cohesive view of the judicial branch and its management Book jacket *Court Management Study* United States. Judicial Council of the District of Columbia Circuit. Committee on the Administration of Justice, 1970

Managing Court Cases With Mental Strength Siva Prasad Bose, Joy Bose, 2022-02-10 Sometimes we cannot avoid court cases In India sometimes they can run for many months or years We may have to attend the hearings in different cities Combined with this are problems with handling a lawyer cross examinations unexpected surprises from the opposite party and other issues Court cases can thus take a huge toll not only on our finances but also our physical and mental health Sometimes we may feel helpless and fall into deep stress or depression However all court cases do not have to end up this way We can train to manage them in a more meaningful and productive way We need to treat court cases as just part of our lives and not everything just like the other parts of our lives In short we need to train how to handle court cases properly with as less stress as possible This requires special techniques to cultivate our mental strength In this book we study some of the techniques on how to handle court cases and balance our lives while dealing with them We do not focus on the different types of court cases and legal remedies but rather focus on the psychology of managing court cases and how to make the process less stressful Our main focus remains civil cases between litigating parties however some of the advice and strategies can be applied for ongoing criminal cases as well Also we write this book from the point of view of the litigants rather than the lawyers or other players of the justice system Note This eBook is intended to be a guide for people stressed with court cases and only serves as an initial guide As a person affected it is advisable to additionally seek professional advice or to consult a doctor psychologist psychiatrist or healthcare professional **Administering the Federal Judicial Circuits** Russell R. Wheeler, Charles W. Nihan, 1982 *Modernising Staffing and Court Management Practices in Ireland Towards a More Responsive and Resilient Justice System* OECD, 2023-01-13 Ireland has launched an ambitious strategy to build a more inclusive efficient and sustainable justice sector Irish citizens recognise these efforts Ireland is one of the OECD countries with a higher percentage of citizens trusting their government and courts according to the recent OECD Survey on

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