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# AUSTRALIA LAWS OF EVIDENCE

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# PROGRAM OVERVIEW



Australia's laws of evidence are multifaceted and intricate. The nation's evidence laws **span multiple levels of legislation across the states and territories**, each carrying its own set of legal principles and procedural guidelines. Moreover, Australian evidence law has seen significant changes in recent years, with ongoing reforms and novel challenges presented by the **digital age and advancements in forensic science**. Thus, it is critical for legal practitioners to stay informed and equipped to deal with the evolving landscape of evidence law.

Led by Beverley Honig, an award-winning lawyer and legal expert, this comprehensive program is designed to equip you with the vital knowledge and competencies required to navigate through the complexities of Australia evidence law, from the **management of evidence to its effective presentation or contestation in court proceedings**. The program immerses you in critical legislation, encompassing the *Australian Evidence Act 1995*, *Criminal Code Act 1995*, and *Law Enforcement (Powers and Responsibilities) Act 2002*. Consequently, you will not merely acquire a profound comprehension of these legal tenets but also develop the aptitude to interpret and deploy these laws efficiently across varied legal scenarios. The program will further enhance your understanding of the pivotal **Briginshaw principle, the process of preparing materials for litigation, and the role of orders in facilitating proceedings of foreign courts**.

Moreover, this comprehensive program will equip you with a deep understanding of **diverse evidence types, strategic utilization of various forms of evidence, intricacies of presenting expert evidence remotely, and the pragmatic implications of privilege in various contexts**. The program also discusses the **nuances of different state laws**, specifically focusing on New South Wales, Victoria, and Western Australia. From the basic structure of the Australian legal system to the **intricacies of digital forensics**, the program covers a broad range of topics relevant to modern legal practice. It also teaches you the significance and applications of legal concepts like the burden of proof, the standard of proof, and witness testimony.

Upon successfully completing the program, you will be awarded the highly respected **Certification in Australia Laws of Evidence**, elevating your professional credentials and demonstrating your expertise in key principles related to **Australia evidence law from handling evidence to preparing them to present or challenge evidence effectively in court**. This industry-recognized certification offers lifelong validity and distinguishes you as an expert in the **legal and constitutional frameworks in the rules of evidence**.

## ACCREDITATIONS



4.8



4.6



# KEY SKILLS YOU WILL GAIN

## From This Program



**AUSTRALIA EVIDENCE LAW  
RULES OF EVIDENCE  
ADMISSIBILITY ASSESSMENT  
EXPERT WITNESS MANAGEMENT**

**CROSS-EXAMINATION TECHNIQUES  
FRESH EVIDENCE ANALYSIS  
WITHDRAWAL PROCEDURES  
SEARCH WARRANT COMPREHENSION**

**BURDEN OF PROOF UNDERSTANDING  
REMOTE EXPERT EVIDENCE MANAGEMENT  
THIRD-PARTY REPORT EVALUATION  
LITIGATION MATERIAL PREPARATION**

**COMMON INTEREST PRIVILEGE  
INTERNATIONAL LEGAL COLLABORATIONS  
EVIDENCE WEIGHT EVALUATION  
FORMAL ADMISSION PROCEDURES  
INFORMAL ADMISSION MANAGEMENT**

**EVIDENCE GATHERING TECHNIQUES  
CONSTITUTIONAL PROVISIONS AWARENESS**



# YOUR FACULTY DIRECTOR

## Beverley Honig

Internationally Qualified Lawyer and Author of Best-Selling Book “Making Contracts Work”

Beverley Honig is a world-renowned speaker, lawyer, and author. She is a recipient of the prestigious **Top 100 Women for Influence award by The Australian Financial Review**. Currently listed in Who’s Who in Business in Australia, Beverley was also inducted into the Businesswoman Hall of Fame in 2016.

She has over 20 years’ experience as an internationally qualified lawyer who has worked in Australia, the United Kingdom, and Middle East. She also serves as a **Judge for the Essential Services Commission Appeals** and is the **Chairman of Greenville Developments** and **Director of Australia Chamber of Commerce** for over 20 years.

Beverley has also **authored several bestselling textbooks**, including “Making Contracts Works” and was a **distinguished Lecturer at the University of Melbourne and Queensland University of Technology Business School**. She is currently the CEO of an award-winning business consultancy, which has been honored by the Prime Minister of Israel for its outstanding contribution in forging international trade links.

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# PROGRAM AGENDA

## MODULE 1: RULES OF EVIDENCE

- Commonwealth Evidence Act
- Distinction Between Admissibility and Weight of Evidence
- Documentary Evidence
- E-transactions Act and Evidence
- Hearsay

## MODULE 2: TYPES OF EVIDENCE

- 21 Different Types of Evidence
- How They Affect a Case

## MODULE 3: UNIFORM EVIDENCE LAW

- Protecting Witnesses
- Legal Education
- Adducing Evidence
- Admissibility of Evidence

## MODULE 4: LEGAL PRIVILEGE

- What is Legal Privilege
- Common Interest Privilege
- Friend or Foe – Commonality of Interest Between Co-defendants
- Without Prejudice Privilege

- Parliamentary Privilege
- Joint Interest Privilege, Third Party Reports and Privilege

## MODULE 5: PREVIOUS REPRESENTATIONS

- Hearsay, Recent Complaint and Prior Statements
- Admissibility and Use of Previous Representations

## MODULE 6: FRESH EVIDENCE

- Formal Admissions
- Informal Admissions Made and Withdrawn
- Examination of the Australian Evidence Act 1995 in Relation to Fresh Evidence

## MODULE 7: EXPERT EVIDENCE

- A Liberal Approach to the Giving of Expert Evidence Remotely
- Analysis of the Australian Evidence Act 1995 on Remote Proceedings
- When is an Expert Needed?
- Finding and Choosing the Right Expert
- Duties and Responsibilities of an Expert, the Expert Report
- Review of Expert Evidence under the Criminal Code Act 1995



# PROGRAM AGENDA

## MODULE 8: RECENT INVENTION

- Briginshaw Revisited - Allegations of Serious Misconduct in Civil Proceedings
- What Sort of Cases are Likely to Attract the Briginshaw Test
- What are the Consequences of Applying Briginshaw Inappropriately
- Examination of the Australian Evidence Act 1995 in Light of Briginshaw

## MODULE 9: MATERIAL PREPARED FOR LITIGATION

- Liquidators and Privilege
- Search Warrants and Privilege
- Understanding Search Warrants Within the Context of the Law Enforcement (Powers and Responsibilities) Act 2002

## MODULE 10: ORDERS IN AID OF FOREIGN COURTS

- Recognizing and Enforcing Judgements
- Laws of Equity
- Understanding Search Warrants Within the Context of the Law Enforcement (Powers and Responsibilities) Act 2002

# YOUR CHARTER DESIGNATION



Chartered Institute of Professional Certification's programs are unique as they provide you with professional charter designation and mark that can be used across your lifetime once you have completed our programs.

Upon completion of this comprehensive program, you will earn the prestigious **Certification in Australia Laws of Evidence**, a globally recognized and lifelong designation that will distinguish you as an authority proficient in navigating the intricate legal and constitutional frameworks that govern the admissibility and evaluation of evidence in court proceedings. This achievement will bolster your professional credentials, enhancing your resume and CV to showcase your comprehensive knowledge and expertise to potential employers.

Developed by the **Chartered Institute of Professional Certifications** and certified by the **CPD Certification Service**, this program adheres to the highest continuing professional principles, ensuring that your certification reflects your dedication to excellence in your field.



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# CONTACT US TODAY

We Thank You for Your Ongoing Support  
of Our Programs

## **Singapore and Asia Pacific Enquiries**

Email: [advisor@charteredcertifications.com](mailto:advisor@charteredcertifications.com)  
Phone: +65 6716 9980  
Address: Chartered Institute of Professional Certifications  
1 Gateway Drive  
#20-04 Westgate Tower  
Singapore 608531

## **Australia and New Zealand Enquiries**

Email: [advisor@charteredcertifications.com](mailto:advisor@charteredcertifications.com)  
Phone: +61 3 9909 7310  
Address: Chartered Institute of Professional Certifications  
530 Little Collins Street, Level 1  
Melbourne VIC 3000, Australia

## **UK, Europe and Middle East Enquiries**

Email: [advisor@charteredcertifications.com](mailto:advisor@charteredcertifications.com)  
Phone: +44 (020) 335 57898  
Address: Chartered Institute of Professional Certifications  
86-90 Paul Street  
London, EC2A 4NE

## **USA Enquiries**

Email: [advisor@charteredcertifications.com](mailto:advisor@charteredcertifications.com)  
Phone: +1 888 745 8875  
Address: Chartered Institute of Professional Certifications  
99 Wall Street #3936  
New York, NY 10005