

SOME INTERNAL FACTORS TO WITNESS THAT INFORM RELIANCE

Credibility

- partiality or motive
- character
- inconsistency in prior statements or testimony and explanation
- conformity of account with “common sense”
- reaction to cross-examination
- attitude in court
 - * took process seriously
 - * even handed?

Reliability

- ?? Ability to observe
 - internal or external limits
- ?? Ability to remember
 - consistency; reasonable completeness
- ?? Ability to communicate
 - understandable?
 - ambiguous?

EXTERNAL FACTORS THAT INFORM RELIANCE

- ?? Other Confirmatory evidence
 - collaboration?
- ?? Contradictory evidence in the case
- (Crown’s own case?)
 - possible to prefer one version – why?
- (Defence case vs Crown case?)
 - *W.(D.)* caution
 - affirm test and explain, if met, why met using the foregoing