

Inquiry into the convictions of the Croatian Six

DIRECTIONS DATED 15 MARCH 2024

Examination and Cross-Examination of Witnesses

1. Counsel Assisting will call and examine (including cross-examine) the witness. In some circumstances, the witnesses might be examined (including cross-examined) by more than one of the Counsel Assisting.
2. Subject to the Inquirer's discretion, the witness may next be cross-examined by or on behalf of any person considered by the Inquirer to have sufficient interest to do so, and may then be examined by his or her own legal representative. Counsel Assisting may re-examine.
3. At all times, duplication and repetition is to be avoided and the Inquirer will disallow any questions of such nature.
4. In determining whether a person has a sufficient interest to cross-examine a particular witness (either at all or as to a particular topic), the person must inform the Inquirer, in writing by 5pm the day before the witness is scheduled to give evidence, of the following matters:
 - a. identify the purpose of the proposed cross-examination;
 - b. set out the issues to be canvassed; and
 - c. state whether a contrary affirmative case is to be made in some respect, and if so the details of that case.
5. If as a consequence of the examination of the witness by Counsel Assisting or the cross examination by another interested party, the person may inform the Inquirer during the hearing of a new issue or topic for cross examination.
6. The Inquirer may:
 - a. not allow examination or cross examination; or
 - b. limit the particular topics or issues upon which the person may examine and cross-examine witnesses; and/or impose time limits upon examination and cross-examination.

Time limits may vary depending on the interests of the person on whose behalf the examination or cross-examination is sought.
7. A copy of any document proposed to be put to a witness in cross-examination must be provided to Counsel Assisting as soon as possible after a decision is made to use the document for such purpose, and in all cases, prior to its intended use.