| FIRST YEAR WITNESS EXAMINATION SCORESHEET | 2024 | | |
| --- | --- | --- |
| Team Name:  Representation:  Witness Name:  Barrister Name: | Judge: | Round:  Date and Time:  Room (If relevant): |
|

| 1. **OPENING STATEMENT:** 2 minutes | 1-2 | 3-4 | 5-6 | 7-8 | 9-10 | Score |
| --- | --- | --- | --- | --- | --- | --- |
| * Created a clear Case Theory * Created a clear and persuasive narrative without simply recounting facts in the witness statement * Identified key issues * No argumentative tone or overstatement of evidence * Stayed within the allocated time * Signposted main arguments of case theory | Unconvincing | Moderate | Good | Very Good | Excellent |  |
| Comments: |  |  |  |  |  |  |
| 1. **EXAMINATION IN CHIEF**: 10 minutes | 1-4 | 5-8 | 9-12 | 13-16 | 17-20 | Score |
| * Evidence elicited in a **clear and logical sequence** * Avoided leading questions * Effectively directed the witness’ attention to matters of concern * Used a variety of methods to elicit further detail when needed * Avoided commenting on answers * Avoided convoluted/indirect language * Stayed within the allocated time * Conversational style | Unconvincing | Moderate | Good | Very Good | Excellent |  |
| Comments: |  |  |  |  |  |  |
| 1. **CROSS EXAMINATION**: 11 minutes | 1-5 | 6-10 | 11-15 | 16-20 | 21-25 | Score |
| * Asked clear and succinct questions * Elicited evidence favourable to their case * Obtained control of the witness through use of leading questions * Avoided arguing with the witness or commenting on answers * Stayed within the allocated time * Obtained control of witness who was not directly answering questions without becoming aggressive or badgering | Unconvincing | Moderate | Good | Very Good | Excellent |  |
| Comments: |  |  |  |  |  |  |
| 1. **CLOSING STATEMENT:** 4 minutes | 1-3 | 4-6 | 7-9 | 10-12 | 13-15 | Score |
| * Affirmed a clear Case Theory * Focused on critical evidence, not irrelevant information * Used evidence elicited during **oral testimony** * Effectively draws together evidence and testimony * Highlights evidence that supports own case theory and undermines opposition’s case theory * **Complied with the *Browne v Dunn rule*** * Stayed within the allocated time | Unconvincing | Moderate | Good | Very Good | Excellent |  |
| Comments: |  |  |  |  |  |  |
| 1. **OBJECTIONS** | 1 | 2 | 3 | 4 | 5 | Score |
| * Showing an understanding of appropriate grounds for objections * Demonstrates confidence and proper manner of stating objections * Responds well to objections from the opposing counsel * Effective use of objections to protect witness where there are grounds to do so * Attention to detail during opposing counsel’s chief and cross examination   NB: do not detract points for incorrect objections, unless it is evident that baseless objections are used to disrupt.  If there are no relevant objections a score of 4 is appropriate. | Unconvincing | Moderate | Good | Very Good | Excellent |  |
| Comments: |  |  |  |  |  |  |
| 1. **BARRISTER - MANNER AND EXPRESSION** | 1-3 | 4-6 | 7-9 | 10-12 | 13-15 | Score |
| * Confident and effective * Appropriate use of language and body language * Engaged effectively with the court * Asked clear and effective questions * Responds effectively to questions from the bench * Stayed within the allocated time | Unconvincing | Moderate | Good | Very Good | Excellent |  |
| Comments: |  |  |  |  |  |  |
| 1. **WITNESS - MANNER AND EXPRESSION** | 0 | 1-3 | 4-6 | 7-8 | 9-10 | Score |
| * Appropriate use of language and body language * Direct and relevant answers to questions posed * Avoided quarreling with barrister * Avoided making up facts that were not a reasonable extension of witness statement * Presented evidence consistent with respective witness statement clearly and confidently * Avoided looking at pre-prepared notes | Unconvincing | Moderate | Good | Very Good | Excellent |  |
| Comments: |  |  |  |  |  |  |
| Overall Comments: | | | | | | |
| **TOTAL SCORE: /100** | | | | | | |