



Quiz

A Consideration of IMM v The Queen [2016] HCA 14

1. Which of these provisions involve assessments of "probative value"?
 - a. Section 55
 - b. Section 136
 - c. Section 137
 - d. All of the above

2. What general approach did the NSW Courts take in *Shamouil* and *XY* to the assessment of "probative value"?
 - a. Assume the evidence is accepted i.e. credible, truthful and reliable
 - b. Assume the evidence is credible and truthful but do not assume it is reliable
 - c. Make no assumptions about the credibility, truthfulness or reliability of the evidence
 - d. None of the above

3. What general approach did the Victorian Supreme Court take in *Dupas* to the assessment of "probative value"?
 - a. Assume the evidence is accepted i.e. credible, truthful and reliable
 - b. Assume the evidence is credible and truthful but do not assume it is reliable
 - c. Make no assumptions about the credibility, truthfulness or reliability of the evidence
 - d. None of the above
4. Did the High Court accept the NSW or Victorian Court's approach to "probative value"?
 - a. The High Court accepted the Shamouil approach
 - b. The High Court accepted the Dupas approach
 - c. The High Court rejected both approaches
 - d. The High Court distinguished the circumstances in *IMM* from those in Shamouil and Dupas
5. How does Odgers SC interpret the approach of the majority in *IMM* to "probative value"?
 - a. Assume the evidence is accepted i.e. credible, truthful and reliable
 - b. Assume the evidence is credible and truthful but do not assume it is reliable
 - c. Make no assumptions about the credibility, truthfulness or reliability of the evidence
 - d. Assume the evidence of the opinion expressed in court is credible, truthful and reliable but make no assumptions about the opinion itself

Answers:

1. c 2. a 3. b 4. a 5. d