

IN THE DISTRICT COURT OF
NEW SOUTH WALES AT SYDNEY
CRIMINAL DIVISION

NO: 2012/393036

DISTRICT COURT OF NSW
FILED
AT SYDNEY

97 06 MAR 2015

REGINA

-v-

FRANCIS WILLIAM ATHOL CABLE



AFFIDAVIT IN SUPPORT NOTICE OF MOTION

On 6 March 2015 I, Riyad El-Choufani, Solicitor, of 323 Castlereagh Street, Sydney MAKE OATH AND SAY:

1. I am employed as a solicitor by Legal Aid NSW. I am the solicitor for the Accused in these proceedings.
2. The Accused has been called to trial in the District Court at Sydney on 9 March 2015.
3. On 29 August 2014 the Accused filed a Notice of Motion at the District Court opposing a Crown application to adduce Tendency Evidence and seeking the trials for each complainant to be held separately.
4. The Notice of Motion is annexed hereto and marked **Annexure "A"**.
5. On the 23 January 2014, a committal hearing was conducted at the Newcastle Local Court. The complainants Peter Anthony Henry and [CFN] were called as witnesses. Mr Henry's evidence is contained in the transcript at pages 13-15 and [CFN]'s evidence is contained in the transcript at pages 20-21. The transcript from Newcastle Local Court on the 23 January 2014 is annexed hereto and marked **Annexure "B"**.

SWORN at Sydney
Before me on 6 March 2015

REDACTED
Signature of Deponent

* Please cross out any text that does not apply

I, Kasey Pearce, a solicitor, certify the following matters concerning the making of this affidavit by the person who made it:

- 1 *I saw the face of the person AND
- 2 *I have known the person for at least 12 months

REDACTED

Signature of authorised witness

Date: 6 March 2015

Filed for: Francis William Athol Cable
Defendant
Legal representative: Steve O'Connor
Legal Aid NSW
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