This chapter examines the exceptions to the general rule that all facts in issue, or relevant to the issue, in a given case must be proved by evidence. It shows that sometimes, the judge, or trier of fact, is entitled to find a fact of their own motion: judicial notice may be taken of that fact. Alternatively, a party may formally admit a relevant matter. In addition, a matter may still be determined against a party because the law precludes them from contesting it. They are then ‘estopped’, as when the same matter has been determined against them and in favour of their opponent by a binding and conclusive judgment of a court. Finally, this chapter considers the wider question of the status of judicial findings in other proceedings.
II. Matters not requiring proof and judicial findings as evidence

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