Evidence, pp 153,6: “[T]he hearsay rule… mandates courtroom testimony as the sole legitimate method for a court to be informed about what a person has witnessed.” “[T]he hearsay rule achieves its aim by singling out accounts of witnessed events where trial processes are unavailable.”
<table>
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| Using any evidence, to find that…                                        | A court using… written documents… (or actual recordings…) (or witness testimony…) | Any relevant use of a witness’s sworn testimony… so long as all of the court’s reasoning about that testimony is based on what the court thinks that the witness currently remembers | ▪ Inferring that events happened the way the witness testifies that they did  
▪ Inferring that events happened the way the witness’s testimony implies that she or he remembers they did |
| ...a person did or said something out of court, to find that…             | ...about a person’s past spoken words… (or written words…) (or voluntary actions…) | Any relevant use of evidence of a person’s out-of-court act… so long as all of the court’s reasoning about that act ignores what the person was thinking or feeling at the time. | ▪ Inferring the actus reus of a crime or an element of a civil cause of action from testimony or recordings of those acts.  
▪ Inferring a person’s personality from evidence of her or his past words or actions. |
| ...that person thought something at that time, to find that…              | ...revealing that, at that time, the person had beliefs… (or feelings, e.g. subconscious beliefs…) | Any relevant use of evidence of what a person thought or felt when they did an out-of-court act… so long as all of the court’s reasoning about what the person thought or felt ignores the causes of those thoughts or feelings | ▪ Inferring the mens rea of a crime or the mental element of a civil cause of action from evidence of what the person did at the time.  
▪ Inferring any possible future consequence of:  
  ▪ past actions evidenced in court; or  
  ▪ thoughts or feelings at the time of any past act evidenced in court. |
| ...something happened the way the person thought it happened.             | ...about an external or past event that the person saw… (or heard…) (or perceived…) …to find that that external or past event happened. | Any relevant use of evidence of an out-of-court act… (including inferring the events that caused a person to hold beliefs revealed by the act) …so long as a hearsay exception applies. | ▪ Inferring that events happened the way a person perceived them, based on evidence of the person’s acts that fall within the:  
  ▪ Admissions exception  
  ▪ Deceased persons exception  
  ▪ res gestae  
  ▪ Business records exception  
  ▪ Computer records exception  
  ▪ Telephone identity exception |