

Browne v Dunn

(1893) 6 R 67

Court: HL

Judgment Date: circa 1893

Catchwords & Digest

EVIDENCE - WITNESSES - EXAMINATION OF WITNESSES - CROSS-EXAMINATION - IN GENERAL - DUTY TO CROSS-EXAMINE -- INTENTION TO IMPUTE PERJURY ON PARTICULAR POINT

(1) If in the course of a case it is intended to suggest that a witness is not speaking the truth upon a particular point, his attention must be directed to the fact by cross-examination showing that that imputation is intended to be made, so that he may have an opportunity of making any explanation which is open to him, unless it is otherwise perfectly clear that he has had full notice beforehand that there is an intention to impeach the credibility of his story, or the story is of an incredible and romancing character.

(2) If a solicitor reasonably believes that his services may be required by a possible client who does not afterwards retain him, all communications passing between the solicitor and the client, leading up to the retainer and relevant to it, and having that, and nothing else, in view, are privileged.

LIBEL AND SLANDER - DEFENCES - QUALIFIED PRIVILEGE - WHAT IS A PRIVILEGED OCCASION - TO WHAT STATEMENTS PRIVILEGE EXTENDS - STATEMENTS IN DISCHARGE OF PUBLIC OR PRIVATE DUTY - VOLUNTEERED STATEMENTS - STATEMENTS BY SOLICITORS, ETC - BY SOLICITOR -- TO CLIENT -- PRIOR TO BEING RETAINED -- REASONABLE ANTICIPATION OF RETAINER

If a solicitor reasonably believes that his services may be required by a possible client who does afterwards retain him, all communications passing between the solicitor and the client, leading up to the retainer and relevant to it, and having that, and nothing else, in view are privileged.

Cases referring to this case

Annotations: All Cases **Court:** ALL COURTS

Sort by: Judgment Date (Latest First)

Treatment	Case Name	Citations	Court	Date	CaseSearch
Considered	Minter v Priest	[1930] AC 558, 99 LJKB 391, [1930] All ER Rep 431, 74 Sol Jo 200, 143 LT 57, 46 TLR 301	HL	circa 1930	CaseSearch Entry
Considered	More v Weaver	[1928] 2 KB 520, [1928] All ER Rep 160, 72 Sol Jo 556, 140 LT 15, 44 TLR 710	CA	11/07/1928	CaseSearch Entry
Considered	Morgan v Wallis	(1917) 33 TLR 495	KBD	circa 1917	CaseSearch Entry

Cases considered by this case

Annotations: All Cases **Court:** ALL COURTS

Sort by: Judgment Date (Latest First)

Treatment	Case Name	Citations	Court	Date	CaseSearch
Approved	Martin v Great Northern Rly Co	(1855) 16 CB 179, 24 LJCP 209, 1 Jur NS 613, 3 WR 477, 139 ER 724, 3 CLR 817, 25 LTOS 144	pre-SCJA 1873	circa 1855	CaseSearch Entry