

Liverpool John Moores University

Title: EVIDENCE
Status: Definitive
Code: **6006LAWCL** (107914)
Version Start Date: 01-08-2020

Owning School/Faculty: Law
Teaching School/Faculty: Law

Team	Leader
Stephen Forster	Y

Academic Level: FHEQ6
Credit Value: 24
Total Delivered Hours: 50
Total Learning Hours: 240
Private Study: 190

Delivery Options

Course typically offered: Standard Year Long

Component	Contact Hours
Lecture	30
Seminar	8
Tutorial	10

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Essay	AS1	Coursework(One 2,500-3,000 word essay to be submitted after Easter).	50	
Exam	AS2	Examination	50	2

Aims

To develop a proper understanding of the rules of evidence(civil and criminal),their application and the underlying principles and policies.

Learning Outcomes

After completing the module the student should be able to:

- 1 Demonstrate a firm grounding of the basic concepts, principles and rules of the English law of evidence both civil and criminal.(A1)
- 2 Demonstrate an critical awareness of the impact of European Convention jurisprudence on the English law of evidence.(A2)
- 3 Demonstrate a well-developed ability to use a wide range of standard and legal and other electronic sources of information.(B1)
- 4 Demonstrate the ability to produce a critical overview of relevant criminal and policy issues.(B5)
- 5 Demonstrate the ability to critically evaluate academic arguments in the light of established statute law and judicial decisions.(B3)
- 6 Produce substantial answers to examination questions by displaying a sufficient and relevant understanding of the principles, cases, statutes and academic critiques.(A2)

Learning Outcomes of Assessments

The assessment item list is assessed via the learning outcomes listed:

ESSAY	3	4	5	
EXAM	1	2	5	6

Outline Syllabus

Preliminaries:(i)an overview of the law of evidence;(ii)relevance,admissibility and weight of evidence

Functions of the judge and jury

The burden and standard of proof

Proof of Facts Without Evidence

The Evidential Significance of Earlier Judicial Findings and Estoppels

Competence and Compellability

Corroboration

The Privilege Against Self-Incrimination and the Right to Silence

Evidence of Identity

Public Policy and Privilege

The Course of Evidence:Examination-in-chief,Cross-Examination and Re-examination

Evidence of Similar Facts

Character, Credibility and the Criminal Evidence Act 1898(as amended)

The Hearsay Rule

Opinion Evidence

Illegally Obtained Evidence

Learning Activities

Lectures and seminars.

Notes

The module is designed not only to introduce the students to the fundamental principles of law relating to evidence, but also to encourage the student to fully analyse the factual evidence based on whether it is relevant, admissible and the weight to be attached to the evidence. Importantly the student is encouraged to look at the practical reality of criminal trials and therefore to approach the development of their critical knowledge of the law evidence in the context of these essential principles as they would be applied in practice.