



**ACADEMIC SERVICES**

**MODULE SPECIFICATION**

| Part 1: Basic Data         |   |                    |                           |                |     |
|----------------------------|---|--------------------|---------------------------|----------------|-----|
| Module Title               | Criminal Litigation, Evidence, and Sentencing |                    |                           |                |     |
| Module Code                | UJXUS9-15-M                                   | Level              | M                         | Version        | 1.1 |
| UWE Credit Rating          | 15  | ECTS Credit Rating | 7.5                       | WBL module?    | No  |
| Owning Faculty             | Business and Law                              | Field              | Law Non-Modular           |                |     |
| Department                 | Law: BILP                                     | Module Type        | Professional Practice     |                |     |
| Contributes towards        | Bar Professional Training Course              |                    |                           |                |     |
| Pre-requisites             | None  |                    | Co- requisites            | None           |     |
| Excluded Combinations      | None  |                    | Module Entry requirements | N/A            |     |
| First CAP Approval Date    | QSC 28 April 2010                             |                    | Valid from                | September 2010 |     |
| Revision CAP Approval Date | 1 June 2016                                   |                    | Revised with effect from  | September 2016 |     |

| Part 2: Learning and Teaching |   |
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| Learning Outcomes             | <ul style="list-style-type: none"> <li>• A sound understanding of the following:               <ol style="list-style-type: none"> <li>1. The procedures leading up to the disposal of a criminal case and the principles which govern those procedures: in particular as they relate to the investigation by the police of criminal offences, the grant and refusal of bail, the decision as to the court in which a case should be heard, disclosure of material, indictments, and preliminary hearings.</li> <li>2. The trial procedures of the Crown Court, the adult magistrates' court and the youth court.</li> <li>3. The sentencing powers of the criminal courts and the principles which govern the exercise of those powers.</li> <li>4. The powers of the Court of Appeal (Criminal Division), of the Crown Court sitting in its appellate capacity, and of the Administrative Court in relation to criminal proceedings.</li> <li>5. The principal rules governing the admission of evidence before a criminal court.</li> </ol> </li> <li>• The ability to advise appropriately on the application of these procedures, principles and powers and to evaluate the options open to the police, advocates and judges in practical situations</li> </ul> |

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| <p>Syllabus Outline</p>              | <ol style="list-style-type: none"> <li>1. Overview of criminal procedure</li> <li>2. Preliminaries to prosecution</li> <li>3. Bail and remands</li> <li>4. Procedure in the magistrates' courts, allocation for trial, and sending to the Crown Court for trial or sentence</li> <li>5. Disclosure of unused material and defence statements</li> <li>6. Indictments</li> <li>7. Preliminaries to trial in the Crown Court</li> <li>8. Summary trial procedure</li> <li>9. Jury trial procedure</li> <li>10. Preliminary evidential matters</li> <li>11. Burden and standard of proof</li> <li>12. Preliminary issues relating to Witnesses</li> <li>13. The rules relating to the examination of Witnesses</li> <li>14. Hearsay Evidence</li> <li>15. Character evidence</li> <li>16. Confessions and unlawfully obtained evidence</li> <li>17. Inferences from the defendant's silence and other conduct</li> <li>18. Visual identification evidence</li> <li>19. Opinion evidence and experts</li> <li>20. Privilege</li> <li>21. Youth courts and the appearance of youths in other courts</li> <li>22. Sentencing principles</li> <li>23. Non-custodial sentences</li> <li>24. Custodial sentences</li> <li>25. Ancillary orders and costs on conviction</li> <li>26. The dangerous offender provisions</li> <li>27. Appeals from the magistrates' courts and from the Crown Court in its appellate capacity</li> <li>28. Appeals from the Crown Court</li> </ol> |
| <p>Contact Hours</p>                 | <p>Each student attends:</p> <ul style="list-style-type: none"> <li>• 18 x 2-hour seminars (known as "small group sessions"), evenly split between criminal litigation and evidence subjects</li> <li>• 4 x 1 hour lectures on Evidence</li> <li>• 2 x 1 hour lectures on Criminal Litigation</li> <li>• 1 x 1.5 hour lecture, being a feedback lecture on the mock exam</li> </ul>  |
| <p>Teaching and Learning Methods</p> | <p>Criminal Litigation, Sentencing and Evidence is one of the two major "knowledge" areas on the Bar Professional Training Course ("BPTC"). An extensive familiarity with criminal procedure and evidence underpins, and is essential to, the skills subjects such as conferencing and advocacy.</p> <p>The subject is taught by</p> <ol style="list-style-type: none"> <li>(1) directed self-study</li> <li>(2) on line activities such as self -test quizzes</li> <li>(3) seminars (which include discussion of pre-prepared questions, observation and discussion of filmed procedures presentation by students of their written answers to questions via the whiteboard, and brainstorming in groups of written questions posed in the class)</li> <li>(4) lectures</li> <li>(5) application of acquired knowledge in the skills subjects ( in particular, conferencing</li> </ol>   |

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|                         | and advocacy)   |
| Reading Strategy        | <p>There is directed reading prior to each small group session.</p> <p>Students are required to read specified paragraphs of Blackstone's Criminal Practice in preparation, together with relevant chapters from the City Law School Criminal Litigation and Evidence Manuals.</p> <p>Students are provided with handouts dealing with a number of the topics covered on the course,</p> <p>Power-point slides accompanying the lectures are made available on-line through Blackboard.</p>   |
| Indicative Reading List | <p><i>The following list is offered to provide validation panels/accrediting bodies with an indication of the type and level of information students may be expected to consult. As such, its currency may wane during the life span of the module specification. However, CURRENT advice on readings will be available via other more frequently updated mechanisms.</i></p> <p>The detailed curriculum is based on specified paragraphs of Blackstone's criminal Practice (OUP)<br/> Criminal Litigation and Sentencing – Blackstone Bar Manual (OUP)<br/> Evidence – Blackstone Bar Manual (OUP)</p> |

| <b>Part 3: Assessment</b> |  |
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| Assessment Strategy       | <p>Strategy:</p> <p>This subject is assessed through a discrete paper set centrally by the Bar Standards Board. The precise form of assessment is subject to the conditions set out in the Assessment Framework of the BPTC Handbook (A2.1.3).</p> <p>Assessments are designed so that a broad range of the syllabus is assessed and any part of it may be assessed. No indication is given to students as to which parts of the syllabus will or will not be assessed. A formative assessment is held prior to the summative assessment. This is also centrally set.</p> <p>The Assessment:</p> <p>The summative assessment will take the form of one closed-book examination, three hours long, comprising single best answer and multiple choice questions.</p> |

| % weighting between components A and B                                  | A:                                       | B: |
|---|--|----|
|   | 100%                                     |    |
| <b>First Sit</b>  |  |    |
| Component A (controlled conditions)<br>Description of each element      | Element weighting<br>(as % of component) |    |
| 1. Examination (3 hours), closed-book, comprising SBA and MC questions, | 100%                                     |    |

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|--|---|
| set centrally and marked electronically                  |   |
| <b>Component B</b><br><b>Description of each element</b> | <b>Element weighting</b><br>(as % of component) |
| n/a  |   |

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|---|---|
| <b>Resit (further attendance at taught classes is not required)</b>   |   |
| <b>Component A</b> (controlled conditions)<br><b>Description of each element</b>                                | <b>Element weighting</b><br>(as % of component) |
| 1. Examination (3 hours), closed-book, comprising SBA and MC questions, set centrally and marked electronically | 100%  |
| <b>Component B</b><br><b>Description of each element</b>  | <b>Element weighting</b><br>(as % of component) |
| n/a   |   |

If a student is permitted a retake of the module under the University Regulations and Procedures, the assessment will be that indicated by the Module Descriptor at the time that retake commences.