



CORPORATE AND ACADEMIC SERVICES

MODULE SPECIFICATION

Part 1: Basic Data					
Module Title	Law and Expert Evidence				
Module Code	UJUJJD-30-2	Level	2	Version	1.1
Owning Faculty	FBL	Field	Law Undergraduate		
Contributes towards	BSc (Hons) Forensic Science; BSc (Hons) Forensic Biology; BSc (Hons) Forensic Chemistry; BSc (Hons) Forensic Psychology; BSc(Hons) Forensic Environmental Science; BSc (Hons) Forensic Computing and Security				
UWE Credit Rating	30	ECTS Credit Rating	15	Module Type	Standard
Pre-requisites	None		Co- requisites	None	
Excluded Combinations	None		Module Entry requirements	n/a	
Valid From	September 2013		Valid to		

CAP Approval Date	1/5/12
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Part 2: Learning and Teaching	
Learning Outcomes	<p>On successful completion of this module students will be able to:</p> <ol style="list-style-type: none"> 1. To recognise what constitutes legal authority and to undertake basic legal analysis of those authorities (assessed in all components); 2. To have acquired knowledge and understanding of fundamental aspects of the English legal system, with particular regard to the various roles undertaken by forensic experts (assessed in all components); 3. To be able to distinguish between the different requirements of civil and criminal law procedures with particular emphasis on the role of the expert witness in each process (assessed in all components); 4. To undertake basic legal analysis and understand the differences between doctrinal, theoretical and socio-legal methods of legal analysis and when each is appropriate (assessed in all components); 5. To understand the legal aspects of the use of expert evidence in court (assessed in component B);

6. To critically evaluate the role of the expert in the English legal system, and understand the legal framework controlling the use of expert evidence and the process that occurs in identifying and addressing a miscarriage of justice or a successful appeal (assessed in component B);
7. To undertake legal resources research including use a law library and relevant online resources and to evaluate the relevance of legal material from these sources (assessed in component B).

In addition the course may explore, develop, and practice but not formally discretely assess the following:

1. Application and problem-solving (derived from QAA benchmark skills for Law - skill 4.7):

The application of knowledge to a given set of situations in order to provide conclusions for problems;

2. Sources and research (based on QAA benchmark skills for law - skill 4.9):

To identify accurately the issue(s) that require researching;
To identify and retrieve up-to-date legal and socio-legal information, utilising paper and electronic sources;
To use primary and secondary legal and socio-legal sources relevant to the topic under study.

3. Analysis, synthesis, critical judgment and evaluation (based on QAA benchmark skills for law - skill 4.10):

- to recognise and rank information and issues in terms of relevance and importance;
- to bring together information from a variety of different sources;
- to produce a synthesis of relevant doctrinal, theoretical and/or policy issues in relation to a given topic;
- to make a critical judgment of the merits of particular arguments

4. Autonomy and ability to learn (based on QAA benchmark skills for law - skill 4.13):

- to act independently in planning and undertaking tasks in areas of law previously studied;
- to reflect on learning.

5. Communication and literacy (based on QAA benchmark skills for law - skills 4.16 and 4.17):

- to understand and use the English language proficiently in relation to legal and socio-legal matters pertaining to forensic related studies (tested in writing in all components);
- to present knowledge or an argument in a way which is comprehensible (tested in writing in all components);

8. Other key skills: numeracy and information technology (based on QAA

	<p>benchmark skills for law - skills 4.18 and 4.19):</p> <ul style="list-style-type: none"> to produce a word-processed essay and research project that allow, where appropriate, for the examination of relevant internet-derived materials, and to use internet and electronic sources for research purposes.
<p>Syllabus Outline</p>	<p><u>Introduction to law</u>: An introduction to legal language and the common law system, the way in which cases are cited, the distinction between civil and criminal law, an introduction to the court structure and sources of law. Primary and secondary sources of law are explained and distinguished.</p> <p><u>Legal Methods and introduction to the English Legal System</u>: Consideration of sources of law in England and Wales and the impact of the doctrines of judicial precedent and statutory interpretation on the law making process. Consideration of the difference between doctrinal law, legal theory and socio-legal methods and their practical uses.</p> <p><u>The Expert in the English Legal System</u>: A detailed examination of the modern common law English system, and its adversarial nature. This includes tracing its development and tracing the use of experts through this development. Equity and common law civil and criminal remedies are explained.</p> <p><u>The Expert in Court</u>: Includes a critical introduction to the use of forensic expert evidence in the criminal justice system and a comparative analysis of forensic and non-forensic expert evidence, and its use in the adversarial system. It also includes explanation of the interface between criminal and civil legal process and how the use of expert evidence may be used by either or both. The course leads on to discussion of the factors driving criminal prosecution and civil litigation including funding issues particularly as they relate to the use of experts and finishes with a critical evaluation of the Law Commission Review and recommendations into the use of expert evidence in the criminal justice stem and its outcome.</p>
<p>Contact Hours/Scheduled Hours</p>	<p>Module delivery will be based on a combination of weekly two hour lectures, two hour workshops, student demand led support sessions, and online support. The ratio of lectures to workshops may alter within the constraints of minimum contact hours to best suit the needs of the students.</p>
<p>Teaching and Learning Methods</p>	<p>Teaching will be delivered by two hour lectures, two hour workshop sessions and individual student support sessions. In the lectures, emphasis is placed on providing the student with the opportunities to question, understand, analyse and evaluate the law and associated issues in their historical, practical, academic and social contexts. In addition there may be multiple choice tests, with answers via Blackboard to support student learning and to provide regular feedback. Clicker tests may also be used during lectures as a means of formative assessment.</p> <p>It is not necessarily envisaged that every topic in the syllabus will be covered in any one academic year but the selection will give students a necessary and relevant overview of the most pertinent issues in any year which may reflect the changing legal environment in which context the course is delivered.</p> <p>Lectures are designed to communicate the principal features of a topic, including its major principles, rules, concepts, relationships and values; to stimulate interest</p>

in the topic and provide student discussion of alternative views; and to provide other information necessary to facilitate its further study, including updating materials on a regular basis.

In most cases there is no expectation of in-depth preliminary work for lectures, although students may be given directed preliminary reading from recommended texts. From time to time, material may be also given out in advance so as to provide the basis for detailed discussion of topics in workshops.

Attendance at a Crown Court and Magistrates Court forms the independent learning component of this module. Students will be expected to pursue independent and directed study between class contact sessions. Students will be encouraged regularly to attend court and to engage with current legal and forensic related news items.

There is a scheduled taught law library session which introduces non-law students to the availability of online and paper law resources, including instruction on how to access and work with these resources. Access to a series of online tutorials and tests to informally practice and assess competence in this area is provided.

Key Information Sets Information

Key Information Sets (KIS) are produced at programme level for all programmes that this module contributes to, which is a requirement set by HESA/HEFCE. KIS are comparable sets of standardised information about undergraduate courses allowing prospective students to compare and contrast between programmes they are interested in applying for.

Key Information Set - Module data				
<i>Number of credits for this module</i>				30
Hours to be allocated	Scheduled learning and teaching study hours	Independent study hours	Placement study hours	Allocated Hours
300	72	228	0	300

The table below indicates as a percentage the total assessment of the module which constitutes a -

- Written Exam:** Unseen written exam, open book written exam, In-class test
- Coursework:** Written assignment or essay, report, dissertation, portfolio, project
- Practical Exam:** Oral Assessment and/or presentation, practical skills assessment, practical exam

Please note that this is the total of various types of assessment and will not necessarily reflect the component and module weightings in the Assessment section of this module description:

Total assessment of the module:	
Written exam assessment percentage	40%
Coursework assessment percentage	60%
Practical exam assessment percentage	0%
	100%

Reading Strategy	<p>Relevant reading material will be identified in the lecture and seminar materials, including textbooks and more specialists books; legal, socio-legal and forensic science-derived academic journals, and information on Blackboard.</p> <p>Essential reading</p> <p>Course Handbook, handouts and Powerpoints.</p>
Indicative Reading List	<ul style="list-style-type: none"> • Holland, J. & Webb, J. (2010) Learning Legal Rules, OUP, Oxford • Keane, A., Griffiths, J. and McKeown, P. (2010) The Modern Law of Evidence 8th Ed., OUP, Oxford (aimed at lawyers and law students, this gives students an insight into how lawyers work with evidence in the criminal and civil justice systems) • Redmayne, M. (2001) Expert Evidence and Criminal Justice (Oxford Monographs on Criminal Law and Justice) OUP, Oxford (provides a thorough and critical overview of the position before the line of miscarriages of justice occurred that gave rise to the Law Commission Review. Relevant as contextual background reading to the course) • Redmayne, M. and Ashworth, A. (2005) The Criminal Process 3rd Ed., OUP, Oxford • Saferstein, R. (2001) Introduction in Criminalistics: An Introduction to Forensic Science 7th Ed. Prentice Hall, New Jersey, USA (A particularly relevant overview and critique in the introduction) • The Law Commission (LAW COM No 190) (2009) The Admissibility of Expert Evidence in Criminal Proceedings in England and Wales - A New Approach to the Determination of Evidentiary Reliability, Consultation Paper No 190, 7 April 2009, HMSO, London • The Law Commission (LAW COM No 325) (2011) Expert Evidence in Criminal Proceedings in England and Wales, 21st March 2011 HMSO, London

Part 3: Assessment	
Assessment Strategy	<p>This module will be assessed by the following components:</p> <p>Component A Unseen 2 hour exam weighted at 40% of the overall module mark.</p> <p>Component B1 Coursework which will be a research project investigating an aspect of the use of experts in court, weighted at approx. 50% of the overall module mark.</p> <p>Component B2 Court visits to the Magistrates' and Crown Courts with a written report of the experience, weighted at approx.10% of the overall module mark.</p>

Identify final assessment component and element	Component B1	
% weighting between components A and B (Standard modules only)	A:	B:
	40%	60%
First Sit		
Component A (controlled conditions) Description of each element	Element weighting	
1. 2 hour examination	100%	
Component B Description of each element	Element weighting	
1. Component B1 - Research project (maximum 3,000 words excl. footnotes)	83%	
2. Component B2 – Court visit and report (maximum 1,000 words excl. footnotes)	17%	

Resit (further attendance at taught classes is not required)	
Component A (controlled conditions) Description of each element	Element weighting
1. 2 hour examination	100%
Component B Description of each element	Element weighting
1. Component B1 - Research project (maximum 3,000 words excl. footnotes)	83%
2. Component B2 – Court visit and report (maximum 1,000 words excl. footnotes)	17%
If a student is permitted an EXCEPTIONAL RETAKE of the module the assessment will be that indicated by the Module Description at the time that retake commences.	