



**CORPORATE AND ACADEMIC SERVICES**

**MODULE SPECIFICATION**

Part 1: Basic Data					
Module Title	Law of Evidence				
Module Code	UJUTD8-30-3	Level	3	Version	5.1
UWE Credit Rating	30	ECTS Credit Rating	15	WBL module?	No
Owning Faculty	FBL	Field	Law Undergraduate		
Department	Law	Module Type	Standard		
Contributes towards	LLB (Hons); LLB (Hons) Law with Criminology; BA (Hons) Criminology and Law; BA (Hons) Criminology with Law; LLB (Hons) Law with Psychology; BSc (Hons) Psychology with Law;				
Pre-requisites	None	Co- requisites	None		
Excluded Combinations	None	Module Entry requirements	120 credits acceptable to the award on which the student is registered of which at least 60 credits must be credits from law modules		
First CAP Approval Date	1 May 2012	Valid from	September 2012		
Revision CAP Approval Date	18 November 2015	Revised with effect from	September 2015		

<b>Review Date</b>	September 2018
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Part 2: Learning and Teaching	
Learning Outcomes	<p>On successful completion of this module students will be able to demonstrate:</p> <ul style="list-style-type: none"> <li>• A knowledge and understanding of the rules, principles and concepts which make up the law of evidence [tested in Components A and B].</li> <li>• Intellectual skills               <ul style="list-style-type: none"> <li>- in the discussion and analysis of the law of evidence;</li> <li>- in the development of critical thinking in the context of the law of evidence; and</li> <li>- in the application of the rules of evidence to factual situations</li> </ul> </li> <li>- [tested in Components A and B]</li> <li>• The ability to research the law and find other relevant and up-to-date information and to make appropriate use of primary and secondary sources [tested in Component B]</li> </ul> <p>On the successful completion of this module students should have the following transferable skills:</p> <ul style="list-style-type: none"> <li>• the ability to present structured arguments;</li> <li>• the ability to analyse, critique, evaluate and reflect upon legal materials;</li> <li>• problem-solving skills;</li> <li>• the ability to undertake independent research.</li> </ul>

Syllabus Outline	<p>Standard evidence syllabus with emphasis on the following particular topics, as it is impossible to cover all areas:</p> <p><u>Term 1</u></p> <p><u>The Foundations of the Law and Obtaining Evidence:</u></p> <ul style="list-style-type: none"> <li>• Concepts and Terminology</li> <li>• Identification</li> <li>• The Right to Silence</li> <li>• Confessions</li> <li>• Evidence Obtained by Illegal or Unfair Means</li> </ul> <p><u>Term 2</u></p> <p><u>Trial Procedures and the Principles of Proof and the Exclusionary Rules</u></p> <ul style="list-style-type: none"> <li>• Burden and Standard of Proof</li> <li>• Witnesses</li> <li>• Sexual Behaviour</li> <li>• Character</li> <li>• Hearsay</li> <li>• Opinion</li> </ul> <p>In relation to these topics the approach is to understand the present law by reference to the social, political and ethical considerations that underpin it. This is an area of law which continues to evolve and in which the impact of the European Convention for the Protection of Human Rights and Fundamental Freedoms has been significant. It is also an area that is politically charged and the students will therefore have the opportunity to view the subject in that light.</p>																				
Contact Hours/Scheduled Hours	<ul style="list-style-type: none"> <li>• 24 x 2 hour weekly lectures</li> <li>• 11 x 1 hour fortnightly seminars</li> </ul>																				
Key Information Sets Information	<table border="1" data-bbox="483 1227 1396 1608"> <thead> <tr> <th colspan="5"><b>Key Information Set - Module data</b></th> </tr> <tr> <td colspan="4"><i>Number of credits for this module</i></td> <td style="border: 2px solid black;">30</td> </tr> <tr> <th>Hours to be allocated</th> <th>Scheduled learning and teaching study hours</th> <th>Independent study hours</th> <th>Placement study hours</th> <th>Allocated Hours</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">300</td> <td style="text-align: center;">59</td> <td style="text-align: center;">228</td> <td style="text-align: center;">0</td> <td style="text-align: center;">287</td> </tr> </tbody> </table> <p>The table below indicates as a percentage the total assessment of the module which constitutes a -</p> <p><b>Written Exam:</b> Unseen written exam, open book written exam, In-class test  <b>Coursework:</b> Written assignment or essay, report, dissertation, portfolio, project  <b>Practical Exam:</b> Oral Assessment and/or presentation, practical skills assessment, practical exam</p> <p>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:</p>	<b>Key Information Set - Module data</b>					<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	59	228	0	287
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Teaching and Learning Methods	<ul style="list-style-type: none"> <li>• The module will be taught by means of weekly two-hour lectures and fortnightly two-hour workshops.</li> <li>• The emphasis throughout the lectures will be on encouraging the students to enter a dialogue with the lecturer and to question and critically evaluate the principles which underpin the law under consideration. The lectures are accompanied by detailed printed materials which are designed not only to reflect the content of the lecture, but to stimulate interest in relevant lines of research.</li> <li>• No prior reading is required for the lectures, which are intended to give a clear overview of the subject under consideration and to prepare students for the research required for the seminars.</li> <li>• The seminars will give the students the opportunity to develop their research, time management group-working, and oral presentational skills, and further opportunity to analyse and critically evaluate the law.</li> <li>• In addition students will learn in the seminars how to apply their knowledge of the law to practical evidential problems which arise in the course of criminal trials.</li> <li>• The module will supported by on-line materials on Blackboard – including video demonstrations of courtroom procedures and scenarios.</li> </ul>																				
Reading Strategy	<p>In the law of Evidence it is essential for students to consult the primary sources and these are more than adequately provided for in the Library and on-line.</p> <p>The cases and statutes which students are expected to refer to are clearly set out in the lecture handouts. Most of the cases are accompanied by brief written summaries</p> <p>Students are also expected to consult secondary sources for the seminars and there are several textbooks written on this subject. The following books are recommended as providing a critical, up-to-date and engaging coverage of the topics that are covered on this module.</p> <p>Choo A., (2012) <i>Evidence</i>, 3<sup>rd</sup> edit, Oxford University Press</p> <p>Dennis I, (2010) <i>The Law of Evidence</i>, 4<sup>th</sup> edit, Sweet &amp; Maxwell</p> <p>Durston G (2011) <i>Evidence Text and Materials</i>, 2dn edit, Oxford University Press</p> <p>In addition, students will be provided with a list of other relevant textbooks they can use/refer to.</p> <p>Each piece of coursework will concern an aspect of one of the tiopics covered in the lectures and at least one seminar.</p> <p>Students are expected to conduct their own research into the subject under considerations, though some initial guidance is given</p>																				
Indicative Reading List	<p>Choo A., (2012) <i>Evidence</i>, 3<sup>rd</sup> edit, Oxford University Press</p> <p>Dennis I, (2010) <i>The Law of Evidence</i>, 4<sup>th</sup> edit, Sweet &amp; Maxwell</p> <p>Durston G (2011) <i>Evidence Text and Materials</i>, 2dn edit, Oxford University Press</p>																				

### Part 3: Assessment

<b>Assessment Strategy</b>	<ul style="list-style-type: none"> <li>• The subject is assessed by way of a two-hour written examination and a 3,000 word piece of coursework. The students are given two pieces of coursework to complete during the module, of which they must complete at least one. The mark awarded for the coursework is the better of the two marks achieved.</li> <li>• In the two-hour exam the students are required to answer three questions, covering four topics. One of the questions is a compulsory problem question covering two topics. The students are then able to choose two questions from a number of further questions, each covering a discrete topic. Combining this method of assessment with the coursework ensures a broad coverage of the module.</li> <li>• The coursework consists of a 3,000 word essay on one aspect of the course which allows the students to conduct independent research and to develop an in-depth analysis of one aspect of the syllabus. Students are given the opportunity to submit a second piece, and the better of the two marks is taken.</li> <li>• During the seminars, in which students consider the types of problems and questions which they later encounter in the assessments, students are given oral feedback on their contributions and guidance on their approach.</li> <li>• Students are given detailed written feedback on their coursework – the feedback on the first piece affording them advice on improvement should they choose to submit a second piece.</li> <li>• Students are assessed in both the coursework and the examination against standard criteria: subject knowledge and understanding, analysis and evaluation, communication and literacy, and research and organisation</li> </ul>
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Identify final assessment component and element	<b>Component A</b>	
% weighting between components A and B (Standard modules only)	<b>A:</b>	<b>B:</b>
	<b>50%</b>	<b>50%</b>

<b>First Sit</b>	
<b>Component A</b> (controlled conditions) <b>Description of each element</b>	<b>Element weighting</b> (as % of component)
1. Exam of 2 hours duration	100%
<b>Component B</b> <b>Description of each element</b>	<b>Element weighting</b> (as % of component)
1. Coursework of 3,000 words	
2. Coursework of 3,000 words	
The students will be given the opportunity to complete two pieces of coursework, the final mark for this component being the better of the two.	100%

<b>Resit (further attendance at taught classes is not required)</b>	
<b>Component A</b> (controlled conditions) <b>Description of each element</b>	<b>Element weighting</b> (as % of component)
1. Exam of 2 hours' duration	100%
<b>Component B</b> <b>Description of each element</b>	<b>Element weighting</b> (as % of component)
1. Coursework of 3,000 words	100%
If a student is permitted a retake of the module the assessment will be that indicated by the Module Description at the time that retake commences.	

