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## MODULE DESCRIPTOR

### Module Title

Law Of Evidence (Online LLB)

Reference	BS2310	Version	4
Created	August 2021	SCQF Level	SCQF 8
Approved	July 2017	SCQF Points	15
Amended	August 2021	ECTS Points	7.5

### Aims of Module

To provide the student with a working knowledge and understanding of the law of evidence in Scotland, with the ability to apply the rules to practical situations.

### Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Evaluate the requirements of sufficiency of evidence in Scottish criminal and civil cases.
- 2 Explain and apply the rules of relevancy and admissibility of evidence in criminal and civil case sin the Scottish Courts
- 3 Critically discuss to what extent stricter evidential standards are applied to criminal cases than to civil cases.
- 4 Explain the competence, compellability and privileges of witnesses in Scottish criminal and civil courts.

### Indicative Module Content

This module will cover the main aspects of evidence in both civil and criminal cases namely: relevance of evidence, the burden of proof, sufficiency of evidence, judicial knowledge, admissibility of evidence, competence and compellability of witnesses, privileges of witnesses and communications, disclosure and recovery of evidence, forms of proof and appeals and Human Rights Act 1998 implications of the law of evidence.

### Module Delivery

This is a lecture and tutorial based module. Lectures provide core module content. Tutorials develop associated higher level skills through student centred learning. In the distance learning mode, in addition, online activities will form part of the module contact time.

Indicative Student Workload	Full Time	Part Time
Contact Hours	36	36
Non-Contact Hours	114	114
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	150	150
Actual Placement hours for professional, statutory or regulatory body		

## ASSESSMENT PLAN

If a major/minor model is used and box is ticked, % weightings below are indicative only.

### Component 1

Type:	Coursework	Weighting:	30%	Outcomes Assessed:	1, 2
Description:	Written coursework exercise				

### Component 2

Type:	Examination	Weighting:	60%	Outcomes Assessed:	1, 2, 3, 4
Description:	Written examination				

### Component 3

Type:	Coursework	Weighting:	10%	Outcomes Assessed:	1, 2
Description:	Oral assignment				

## MODULE PERFORMANCE DESCRIPTOR

### Explanatory Text

Assessment 1 (major ? 60%) Assessment 2 (minor - 30%) Assessment 3 (minor 10%) An overall minimum grade D is required to pass the module

Module Grade	Minimum Requirements to achieve Module Grade:
<b>A</b>	A1 A, A2 and A3 at A or B
<b>B</b>	A1 at A, A2 and A3 at C or D A1 at B and A2 and 3 at A, B or C A1 at C, A2 and A3 at A.
<b>C</b>	A1 at A, A2 and A3 at E A1 at B, A2 and A3 at D or E A1 at C, A2 and A3 at B, C or D A1 at D, A2 and A3 at A or B A1 at E, A2 and A3 at B or C
<b>D</b>	A1 at C, A2 and A3 at E, A1 at D, A2 and A3 at D or E A1 at E, A2 and A3 at C or D
<b>E</b>	A1 at A, B, C or D, A2 and 3 at F A1 at E, A2 and 3 at D, E or F A1 at F, A2 and A3 at A, B, C or D
<b>F</b>	A1 at F, A2 and A3 at E or F
<b>NS</b>	Non-submission of work by published deadline or non-attendance for examination

## Module Requirements

Prerequisites for Module	None.
Corequisites for module	None.
Precluded Modules	None.

**INDICATIVE BIBLIOGRAPHY**

- 1 AUCHIE, D.P., 2018. *Evidence*. 5th ed. Edinburgh: Thomson/W. Green. (Law Basics Series)
- 2 RAITT, F., 2018. *Evidence: principles, policy and practice*. 3rd ed. Edinburgh: W. Green.
- 3 ROSS, M, CHALMERS, J,CALLENDAR I 2020. *Walker and Walker: the law of evidence in Scotland*. 5th Ed, Haywards Heath, Bloomsbury Professional