



UNIVERSITY OF NICOSIA ΠΑΝΕΠΙΣΤΗΜΙΟ ΛΕΥΚΩΣΙΑΣ

University of Nicosia, Cyprus

Course Code LAW-435	Course Title Law of Evidence I	ECTS Credits 6
Department Law	Semester FALL	Prerequisites One from, either LAW-324/6 or LAW-392, and LAW-384
Type of Course Major Requirement	Field Law	Language of Instruction English
Level of Course 1 st Cycle	Year of Study 4th	Lecturer(s) Dr. Mario Antoniou
Mode of Delivery Face-to-face	Work Placement N/A	Co-requisites None

Objectives of the Course:

The law of evidence is one of the most important basic tools any law student thinking of practicing needs to acquire. This initial semester will focus on the burden of proof and the role of the witness.

Learning Outcomes:

After completion of the course students are expected to be able to:

1. Express a thorough and applied knowledge of the basic concepts of evidence and of the terminology used.
2. Analyze and distinguish between the various standards of evidential proof required and comprehend and appreciate the importance of such distinctions.
3. Explain the witness system, the competence and compellability of witnesses and the course of evidence.
4. Demonstrate in-depth knowledge of the rules regarding identification and confession evidence.
5. Identify when evidence is improperly obtained and analyze the legal status of such evidence.
6. Assess and evaluate the impact of the various privileges and immunities upon evidence and will be able to discuss the approach of the courts to such privileges and immunities.
7. Explain proper evidentiary form objections in a court proceeding including objections based on principles of authentication of evidence, improper use of character evidence and impeachment evidence.
8. State a reasoned legal decision.

Course Content:

Overview

Proof at Trial

Law of Evidence

[A] Rules Governing the Content of Evidence

[B] Rules Governing Witnesses

[C] Substitutes For Evidence

Roles of Judge & Jury:

Stages of Trial and Motions

Burdens of Proof

Objections & Offers of Proof

Preliminary Questions of Admissibility

Limited Admissibility

Relevancy & Its Counterparts

Character Evidence

Other Acts Evidence

Determining “Materiality” Under Rule

Determining Admissibility Under Rule

[A] Disputed Issues

[B] Stipulations

[C] Jury Instructions

Defendant’s Participation in Other Acts

Other-act Evidence Offered by the Accused

Entrapment Cases

<p>Notice Requirement</p> <p>Double Jeopardy & Collateral Estoppel</p> <p>Habit Evidence:</p> <p>Habit & Character Distinguished</p> <p>Routine Business Practices</p> <p>Determining Admissibility under Rule</p> <p>Methods of Proof</p> <p>Subsequent Remedial Measures</p> <p>Compromises & Offers</p> <p>Rationale</p> <p>Scope of Rule</p> <p>“Dispute” Requirement</p> <p>Third-Party Compromises</p> <p>Admissibility for Other Purposes</p> <p>Medical Payments</p> <p>Criminal Pleas & Offers</p> <p>Insurance</p> <p>Sequestration of Witnesses</p>
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Learning Activities and Teaching Methods:

Interactive lectures, tutorials, written examinations and assignments

Assessment Methods:

One written assignment, mid-term exam, final exam

Required Textbooks/Reading:

Authors	Title	Publisher	Year
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Peter Murphy	<i>Murphy on Evidence</i> (11 th edition)	Oxford	2009
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Recommended Textbooks/Reading:

Authors	Title	Publisher	Year
Colin Tapper (ed.)	Cross & Tapper on Evidence (12 th edition)	Oxford	2010
Adrian Keane, James Griffiths and Paul McKeown	The Modern Law of Evidence (8 th edition)	Oxford	2010
Raymond N. Emson	Evidence (5 th edition)	Palgrave Macmillan	2010
Ian Dennis	The Law of Evidence (4 th revised edition)	Sweet & Maxwell	2010
Peter Murphy	Evidence, Proof and Facts – A Book of Sources (1 st edition)	Oxford	2003