



UNIVERSITY OF NICOSIA ΠΑΝΕΠΙΣΤΗΜΙΟ ΛΕΥΚΩΣΙΑΣ

University of Nicosia, Cyprus

Course Code LAW-436	Course Title Law of Evidence II	ECTS Credits 6
Department Law	Semester SPRING	Prerequisites LAW-435
Type of Course Law Elective	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 continues with good emphasis placed on the law relating to hearsay in the English legal system. The semester will begin by focusing on the presentation of evidence in court and conclude with the production of documents.

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. Discuss the witness system, of the competence and compellability of witnesses and of the course of evidence.
4. Demonstrate in-depth knowledge of the rules regarding identification and confession evidence.
5. Apply key evidence law concepts, including: relevance, the main exclusionary rules and their exceptions, assessing probative value versus prejudicial effect, and limitations on the use of admitted 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, impeachment evidence, hearsay and its exceptions .
8. State a reasoned legal decision.

Course Content:

Examination of Witnesses

Credibility of Witnesses:
Firsthand Knowledge Rule

Opinion Rule

Expert Testimony

Real & Demonstrative Evidence

Authentication of Writings

Hearsay

Rationale for Hearsay Rule

Hearsay Definitions

Declarant Defined

“Out-of-Court” (extrajudicial) Requirement

Statements Offered for Their Truth

Statement Defined; Implied Assertions

Constitutional Issues

Procedural Issues

Double Hearsay

Calling Hearsay Declarants

Impeachment & Rehabilitation of Declarants

“Res Gestae”

Hearsay Exemptions

Attorney-Client Privilege

Doctor & Psychotherapist Privileges

Governmental Privileges

Judicial Notice

Judicial Notice

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
Peter Murphy	<i>Murphy on Evidence</i> (11 th edition)	Oxford	2009

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