

Course Title: **Law of Evidence**

Course Code: **LAWS978**

Descriptor Start Date: **17/07/2023**

POINTS: **30.00**

LEVEL: **9**

PREREQUISITE/S: **None**

COREQUISITE/S: **LAWS901**

RESTRICTION/S: **None**

## LEARNING HOURS

Hours may include lectures, tutorials, online forums, laboratories. Refer to your timetable and course information in Canvas for detailed information.

**Total learning hours: 300**

## PRESCRIPTOR

A critical examination of the types of evidence that may be accepted by a court; the persons who may or must give evidence; the manner in which evidence is presented; and the amount of evidence required to prove a proposition of fact. Involves a significant research component on a selected aspect of the law.

## LEARNING OUTCOMES

1. Explain and examine the common law trial procedure and its purpose of “fact-finding” for the purpose of achieving “truth” and/or “justice”.
2. Critically analyse how the common law trial procedure of fact-finding differs from that of European inquisitorial systems and under tikanga Māori.
3. Apply the rules governing the admissibility of evidence and the exclusion of evidence.
4. Apply the Evidence Act 2006.
5. Discuss how the law of evidence applies in legal practice and the common issues practitioners deal with at trial and on appeal.
6. Demonstrate advanced capabilities in analysis of legal problems.

**Disclaimer: Course descriptors may be amended between teaching periods/semesters**

## CONTENT

The nature of the common law trial process and other models of fact-finding and truth-seeking in systems of justice;  
The overarching rules of admissibility and exclusion of evidence, being relevance and unfair prejudice;  
Eligibility and compellability of witnesses;  
Opinion evidence;  
Privilege and confidentiality.

## LEARNING & TEACHING STRATEGIES

An appropriate range of strategies that may include lectures, workshops and online learning.

## ASSESSMENT PLAN

Assessment Event	Weighting %	Learning Outcomes
Research Paper of 10,000 words (+/- 10%) Individual	100.00	1 - 6

<b>Grade Map</b>	<b>MAP1</b>
	A+ A A- Pass with Distinction
	B+ B B- Pass with Merit
	C+ C C- Pass
	D Fail

### Overall requirement/s to pass the course:

Students are encouraged to submit a draft for formative feedback.

## LEARNING RESOURCES

Details of all learning resources (including journals, databases, websites etc) are available on Canvas. Required Text(s): If there is a required text, details are available by searching the University Bookshop's website: [www.ubs.co.nz](http://www.ubs.co.nz)

**For further information, contact:** Te Ara Pakihi, Te Ohanga Me Te Ture - Faculty of Business, Economics and Law

**Principal Programme:** AK1044, Master of Laws

**Related Programme/s:** AK1050 PgCertLaw

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