

LAWS70071 Advanced Evidence

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2013, Parkville This subject commences in the following study period/s: October, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	For more information, contact the Melbourne Law Masters office. Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>In the preparation and conduct of litigation no area of law is more important than the law of evidence. Advanced Evidence aims to provide students with an enhanced understanding of the role played by the law of evidence in dispute resolution, and the distinctive features of the common law approach to proof. The subject focuses on the key provisions of the 'uniform evidence legislation, which now operates in all Commonwealth, Victorian, New South Wales, Tasmanian and ACT courts, and examines the law of evidence as it applies in both civil and criminal proceedings. Students can expect to refresh, deepen and develop their understanding of the factual, legal and policy issues associated with the law of evidence and to learn to analyse the admissibility of evidence at an advanced level.</p> <p>This subject is primarily based on a detailed examination of those rules of evidence that are of most practical significance in litigation.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"># The common law approach to proof, including a comparison with the civil law# Hearsay and documentary evidence# Privilege and immunity# Opinion evidence

	<ul style="list-style-type: none"> # The admissibility of a number of additional categories of evidence in both civil and criminal proceedings, including: <ul style="list-style-type: none"> # Missing evidence # Tendency and coincidence evidence # Illegally and improperly obtained evidence.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Have an enhanced understanding of the role played by the law of evidence in dispute resolution, and the distinctive features of the common law approach to proof # Have a good understanding of the scope and operation of the uniform evidence legislation, and in particular the <i>Evidence Act 1995</i> (Cth) and <i>Evidence Act 2008</i> (Vic) # Be able to identify the factual, legal and policy issues associated with each of the categories of evidence selected for study # Be able to analyse such evidence from a factual, a legal and a policy perspective, at an advanced level.
Assessment:	Class participation (5%) Take-home examination (95%) (22–25 November) or 10,000 word research paper (95%) (22 January 2014) on a topic approved by the subject coordinator
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	http://www.law.unimelb.edu.au/subject/LAWS70071/2013