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| Nota di contenuto | Cover; Title Page; Copyright Page; Table of Contents; Guide to the book; Acknowledgements; Preface; List of figures; Table of cases; Table of statutes and other instruments; 1 An Introduction to the Substantive Law of Evidence; 1.1 Introduction; 1.2 The exclusionary approach of the English law of evidence; 1.3 Types of judicial evidence; 1.3.1 Direct or percipient evidence; 1.3.2 Circumstantial evidence; 1.3.3 Hearsay; 1.3.4 Original evidence; 1.3.5 Primary and secondary evidence; 1.3.6 Conclusive evidence; 1.3.7 Presumptive evidence; 1.3.8 Oral evidence or testimony; 1.3.9 Real evidence 1.4 Facts1.4.1 Facts in issue: criminal cases; 1.4.2 Facts in issue: civil cases; 1.4.3 Facts in issue: formal admissions; 1.4.4 Facts in issue: collateral facts; 1.4.5 Facts in issue: relevant facts; 1.5 Admissibility, weight and discretion; 1.5.1 Admissibility; 1.5.2 Weight; 1.5.3 Discretion; 1.6 Judge and jury; 1.6.1 Questions of law; 1.6.2 Questions of fact; 1.7 Instances in which proof is unnecessary; 1.8 The binding nature of judicial findings; 1.9 Procedural rules: criminal and civil; 2 The Law of Evidence: The Burdens and Standards of Proof; 2.1 Introduction; 2.1.1 Several burdens 2.1.2 Legal burden2.1.3 Evidential burden; 2.1.4 Evidential burden of proof?; 2.1.5 Party with legal and evidential burdens; 2.1.6 Separate evidential burden; 2.1.7 Importance of distinguishing legal and evidential burdens; 2.2 Incidence of the legal burden of proof; 2.2.1 Civil cases; 2.2.2 Criminal cases - general rule - the 'golden thread' theory; 2.2.3 Exceptions in criminal cases; 2.3 Evidential burden; 2.3.1 |

Shifting of the evidential burden; 2.4 Standards of proof; 2.4.1 Criminal cases; 2.4.2 Discharge of the legal burden by the accused
2.4.3 Discharge of the legal burden in civil cases2.4.4 Discharge of the evidential burden; 2.5 Tactical burden; 3 Testimony of Witnesses; 3.1 Introduction; 3.2 Attendance of witnesses at court; 3.3 Order of presentation of evidence; 3.3.1 Re-opening the prosecution case; 3.4 Evidence: sworn/unsworn or solemn affirmation; 3.4.1 Oath; 3.4.2 Solemn affirmation; 3.5 Competence and compellability of witnesses; 3.5.1 Civil cases; 3.5.2 Sworn evidence; 3.5.3 Unsworn evidence of children in civil cases; 3.5.4 Criminal cases; 3.5.5 Sworn/unsworn evidence; 3.5.6 The defendant
3.5.7 The defendant's spouse/civil partner in criminal cases3.6 Special measures directions; 3.7 Witness anonymity orders; 3.8 Miscellaneous; 3.9 Training or coaching of witnesses/familiarisation; 4 The Disclosure of Evidence and Protection from Disclosure: Privilege and Public Interest Immunity; 4.1 Introduction; 4.2 Disclosure; 4.3 Privilege; 4.3.1 Privilege against self-incrimination; 4.3.2 Legal professional privilege; 4.4 Journalistic privilege; 4.5 Negotiations without prejudice; 4.6 Public interest immunity; 4.6.1 Requirements on party seeking disclosure; 4.6.2 Necessity of disclosure
4.6.3 Public policy

Sommario/riassunto

"Unlocking Evidence will ensure that you grasp the main concepts with ease providing you with an indispensable foundation in the subject. The book explains in detailed, yet straightforward, terms: The burdens and standards of proof Testimony of witnesses; Disclosure of evidence and protection from disclosure; privilege and public interest immunity Course of trial Hearsay Confessions and other illegally obtained evidence Evidence of bad character in criminal proceedingsAdmissibility of bad character evidence of defendants Corroboration, lies, care warnings and identification evidence Opinion, documentary and real evidenceThis second edition is fully up-to-date with the latest changes in the law and now includes discussion of witness anonymity, an expanded section on special measures, more detail on illegally obtained evidence, plus discussion of the context of the law, such as an increasing emphasis on victims. The Unlocking the Law series is designed specifically to make the law accessible. Each chapter opens with a list of aims and objectives, contains activities such as quick quizzes and self-test questions, key facts charts to consolidate your knowledge, and diagrams to aid learning. Cases and judgments are prominently displayed, as are primary source quotations. Summaries help check your understanding of each chapter, there is a glossary of legal terminology. New features include problem questions with guidance on answering, as well as essay questions and answer plans, plus cases and materials exercises. "--
