

DETAILED CURRICULUM
LEVEL THREE - SEMESTER SIX
LAW OF EVIDENCE

COURSE DETAILS			
Course Code	LW 6344		
Course Title	LAW OF EVIDENCE		
Course Type	Core		
Credits	4		
Hours Allotted	Theory	45	Total
	Practical		
	Assignments/Tutorials	30	75
AIM			
<p>The aim of the course unite is to study Evidence ordinance of Sri Lanka comprehensively. The Law of Evidence underlines the whole practice of law in every fields of law, particularly in relations to litigation process. Therefore, the students are required to process a higher standard of knowledge in Law of Evidence.</p>			
INTENDED LEARNING OUTCOMES			
<p>After the completion of course Unit, learners should be able to</p> <ol style="list-style-type: none"> (1) demonstrate a working knowledge of the rules of evidence and the underlying rationale for each rule (2) analyse and apply the rules on admissibility of evidence at the trial and the role of the judiciary in the civil and criminal trials (3) develop critical thinking and improve verbal and written communication skills through the identification, interpretation, discussion of evidentiary issues arising from criminal and civil cases 			
COURSE CONTENTS			
<ol style="list-style-type: none"> 1. Cause of action and justifiability Locus of the action Plaintiff Defendant 2. Introduction to the law of evidence in Sri Lanka The nature and scope Source of Law of evidence in Sri Lanka 3. Rule against hearsay Under English Law Under Sri Lankan Law 4. Relevance Concept of relevancy Categories of relevant facts 5. Doctrine against self incrimination and admissions and confessions 6. Statements by persons who cannot be called as witnesses Dying declarations 			

7. Other categories of relevant evidence

Opinions of third persons – general exclusionary principle and rationale
Evidence of character

8. Witness – cross examination

Rules with regard to particular categories – the general dimensions of evidentiary rules (including the concept of corroboration 1 sexual offences and delicts and accomplices)

9. Burden of proof and exceptions

Presumptions
doctrine of judicial notice

10. Estoppel

11. Investigation of offences, police powers and arrest, and the interface with constitutional provisions

12. Charge

13. Bail

Constitutional provisions
Code of Criminal Procedure
Bail Act of 1997
Emergency Regulations

14. Finality of Judgment and res judicata / doctrine of double jeopardy

Rationale
Application
Exceptions

ASSESSMENT CRITERIA	% OF MARKS
Semester-end Examination:	70
Assignments:	20
Class Quizzes:	10

RECOMMENDED READINGS

1. GL Peiris, The Law of Evidence in Sri Lanka
2. ERSR Coomaraswamy, Law of Evidence (with Special Reference to the Law of Sri Lanka) Vol I and Vol II
3. Cross and Tapper, Cross on Evidence
4. Archibold's Criminal Pleading Evidence and Practice – Edited by PJ Richardson
5. Sudipto Sarkar and VR Manohar, Sarkar on Evidence
6. Praghaz C Sarkar, Sarkar on Criminal Procedure