SE TU

Ollscoil
Teicneolaíochta
an Oirdheiscirt

South East
Technological
University

Module Descriptor

Criminal Evidence (Computing and Mathematics)

Criminal Evidence
(A12201)

Short Title: Criminal Evidence
Department: Computing and Mathematics
Credits: 5   **Level:**   Advanced

Description of Module / Aims

This module explores the rules and principles that regulate the pre-trial and trial stages of the criminal process.

Programmes

	stage/semester/status
CRIM-0008 BSc (Hons) in Applied Computing (WD_KACCM_B)	4 / 8 / E
CRIM-0008 BSc (Hons) in Applied Computing (WD_KCOMP_B)	4 / 8 / E
CRIM-0008 BSc (Hons) in Computer Forensics and Security (WD_KCOFO_B)	4 / 8 / M
CRIM-0008 BSc (Hons) in Computer Science (WD_KCMSC_B)	4 / 8 / E

Indicative Content

- Items and classification of evidence. Function of Judge and jury in criminal cases. Relevance, and weight of evidence
- The burden and standard of proof in criminal cases
- The testimony of witnesses. The competence and compellability of witnesses: spouses and former spouses; the children; the accused; co-accused as witnesses in criminal cases
- Corroboration in criminal cases
- Hearsay in criminal cases. Confessions
- Unlawfully obtained evidence - admissibility and judicial discretion
- Character of evidence
- Similar fact evidence
- Expert and opinion evidence - preparation and presentation of export witness reports
- Privilege

Learning Outcomes

On successful completion of this module, a student will be able to:

1. Assess the rules which govern the admissibility and receivability of evidence during the criminal trial
2. Summarise the critical facts, legal issues and decisions in court judgments which concern the rules of criminal evidence.
3. Demonstrate both a practical and theoretical understanding of the rules which govern the admissibility of witness testimony during the criminal trial process including the evidence of expert witnesses.
4. Generate an expert witness report based on the student's interpretation of technical information discerned from a hypothetical scenario.

Learning and Teaching Methods

- Lectures, private reading, seminars, research assignments.

Learning Modes

Learning Type	F/T Hours	P/T Hours
Lecture	48	
Independent Learning	87	

Assessment Methods

	Weighting	Outcomes Assessed
Continuous Assessment	50%	
Project	20%	4
Presentation	30%	3
Final Written Examination	50%	1,2

Assessment Criteria

<40%: The student does not meet any of the requisite learning outcomes of the module.

40%–49%: The student shows limited consideration of main points and concepts which are required to be addressed. The student engages in a descriptive level of discussion only, which shows a lack of evidence of the underpinning knowledge.

50%–59%: The student demonstrates consideration of, but a limited analysis of, the required main points and concepts. The student engages in limited amount of discussion and reflection, but shows a clear grasp of the underpinning principles.

60%–69%: The student addresses and analyses the main points required by the assessment and shows evidence of a good grasp of the underpinning requisite knowledge. The students shows some evidence of evaluation and synthesis of the relevant issues.

70%–100%: The student demonstrates an excellent level of critical analysis, originality of thought and a comprehensive knowledge base. The student engages in excellent levels of critical evaluation and synthesis of the relevant issues.

Essential Material(s)

- Heffernan, L and U Ni Raifeartaigh. *Evidence in Criminal Trials*. Dublin: Bloomsbury Professional, 2014.

Supplementary Material(s)

- Fennell, C. *The Law of Evidence in Ireland*. 3rd. Dublin: Bloomsbury Professional, 2009.
- Law Reform Commission. *Consultation Paper on Expert Evidence* by Rickard-Clarke, P.T.. Dublin. 2008.
- McGrath, D. *Evidence*. Dublin: Round Hall Brehon, 2014.