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SQE1 syllabus

This chapter will enable you to achieve the SQE1 Assessment Specification in relation to Functioning Legal Knowledge concerned with the following procedures and processes:

- burden and standard of proof;
- visual identification evidence and *Tumblitt* guidance;
- inferences from silence ss 34, 35, 36, 37, 38 Criminal Justice and Public Order Act 1994;
- hearsay evidence:
 - definition
 - grounds for admitting hearsay evidence
- confession evidence:
 - definition
 - admissibility
 - challenging admissibility ss 76 and 78 PACE 1984
- character evidence:
 - definition of bad character
 - the 7 gateways s 101(1) Criminal Justice Act 2003
 - procedure for admitting defendant's bad character
 - court's powers to exclude defendant's bad character
- exclusion of evidence:
 - scope and application of s 78 PACE and the right to a fair trial.

Note that, for SQE1, candidates are not usually required to recall specific case names or cite statutory or regulatory authorities. These are provided for illustrative purposes only unless otherwise stated.

Exclude Evidence Manual

**Stephen A. Saltzburg, Michael M.
Martin, Daniel J. Capra**

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Texas Rules of Evidence Manual - Tenth Edition David A. Schlueter, Jonathan D. Schlueter, 2015-07-01 Texas Rules of Evidence Manual provides an updated comprehensive reference to Texas evidence for both civil and criminal cases. The book provides a rule by rule analysis of each Rule of Evidence. This sturdy hard cover text is designed for heavy use in the courtroom. This text helps those who are bound to use the Texas Rules of Evidence whether it is the bench or the bar or those studying evidence. While the text contains some academic discussions the book is designed to explain what a particular Rule requires or prohibits to indicate what the appellate courts have said about the Rules and to offer some practical pointers on using the Rules. The book itself has been designed to make it as useful as possible to the harried judge, counsel and student who must quickly find the law. Following each Rule is an editorial commentary on the Rule explaining how the Rule works, what the Texas courts have said about the Rule and how it compares with the Federal Rule because Texas courts often review federal precedent where they find it helpful in applying a Texas Rule. When appropriate practical pointers are also provided on how to use the Rule. Where the Rules apply in the same fashion for both civil and criminal cases those points are discussed together. On the other hand where they diverge the authors have used separate headings for Civil and Criminal when that seems appropriate. One of the objectives of the Editorial Analysis in this text is to deal with the interrelationships of the various Rules. The authors have noted those areas where the Rules differ from pre-Rules case law or statutory provisions. Some of the Rules changed the prior Texas evidence law and although many of the Texas Rules agree with the Federal Rules a number differ significantly.

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Weinstein, Margaret A. Berger, 1999 By the authors of the leading multi volume evidence treatise for attorneys **Federal Rules of Evidence Manual: Rules 405-501** Stephen A. Saltzburg, Michael M. Martin, Daniel J. Capra, 2002 A complete guide to the Federal rules of evidence

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Manual of Federal Appellate Procedure Paul Peter O'Brien, 1926

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