

LAWS3006: Law of Evidence

Jonathan Rogers (Term 1) :
Ian Dennis (Term 2)

View Online



1

Huxley P. Blackstone's statutes on evidence. 13th ed. Oxford: : Oxford University Press 2014.

2

Christina McAlhone. Core statutes on evidence. Fifth Edition. Basingstoke: : Palgrave Macmillan 2013.
<http://copac.jisc.ac.uk/id/7370507?style=html&title=Core%20statutes%20on%20evidence>

3

Claire McGourlay. Evidence statutes 2012-2013. London: : Routledge 2013.
<http://copac.ac.uk/search?title=Evidence%20Statutes%202012-2013&rn=2>

4

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

5

Munday RJC. Evidence. Seventh edition. Oxford, United Kingdom: : Oxford University Press 2013.

6

Choo AL-T. Evidence. 3rd ed. Oxford: : Oxford University Press 2012.

7

Ashworth A, Redmayne M. The criminal process. 4th ed. Oxford: : Oxford University Press 2010.

8

Duff A. The trial on trial. Oxford: : Hart 2004.

9

Roberts P, Zuckerman AAS. Criminal evidence. 2nd ed. Oxford: : Oxford University Press 2010.

10

Twining W. Rethinking evidence: exploratory essays. 2nd ed. Cambridge: : Cambridge University Press 2006.

11

Ashworth A, Redmayne M. The criminal process. 4th ed. Oxford: : Oxford University Press 2010.

12

Criminal Procedure and Investigations Act 1996.
<http://www.legislation.gov.uk/ukpga/1996/25/contents>

13

CPS v F (Rev 2) [2011] EWCA Crim 1844 (21 July 2011).
<http://www.bailii.org/ew/cases/EWCA/Crim/2011/1844.html>

14

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

15

Roberts P, Zuckerman AAS. Criminal evidence. 2nd ed. Oxford: : Oxford University Press 2010.

16

Lon L. Fuller and Kenneth I. Winston. The Forms and Limits of Adjudication. Harvard Law Review 1978;**92**:353–409.<http://www.jstor.org/stable/1340368>

17

Twining W. Rethinking evidence: exploratory essays. 2nd ed. Cambridge: : Cambridge University Press 2006.

18

Review by: D. J. Galligan. More Scepticism about Scepticism. Oxford Journal of Legal Studies 1988;**8**:249–65.<http://www.jstor.org/stable/764313>

19

Dworkin. Principle, Policy, Procedure. In: Crime, proof and punishment: essays in memory of Sir Rupert Cross. London: : Butterworths 1981.

20

Duff A. The trial on trial. Oxford: : Hart 2004.

21

Human Rights Act 1998. <http://www.legislation.gov.uk/ukpga/1998/42/contents>

22

European Convention on Human Rights and its Five Protocols.

<http://www.hri.org/docs/ECHR50.html>

23

R v Horncastle and others (Appellants) (on appeal from the Court of Appeal Criminal Division) - UKSC_2009_0073_Judgment.pdf.

<https://www.supremecourt.uk/cases/docs/uksc-2009-0073-judgment.pdf>

24

CASE OF AL-KHAWAJA AND TAHERY v. THE UNITED KINGDOM (Applications nos. 26766/05 and 22228/06).

[http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-108072#{%22itemid%22:\[%22001-108072%22\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-108072#{%22itemid%22:[%22001-108072%22]})

25

R v Christie [1914] AC 545, 10 Cr App Rep 141. Court: House of Lords.

http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20978998189&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20978998191&backKey=20_T20978998192&csi=279841&docNo=23&scrollToPosition=3306

26

Police and Criminal Evidence Act 1984.

<http://www.legislation.gov.uk/ukpga/1984/60/section/78>

27

R v P and others - [2001] 2 All ER 58.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-601M&csi=274668&oc=00240&perma=true&elb=t>

28

Brown v Stott (Procurator Fiscal, Dunfermline) and another - [2001] 2 All ER 97.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-6129&csi=274668&oc=00240&perma=true&elb=t>

29

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

30

Roberts P, Zuckerman AAS. Criminal evidence. 2nd ed. Oxford: : Oxford University Press 2010.

31

Director of Public Prosecutions v Kilbourne - [1973] 1 All ER 440.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-3KP0-TWP1-60P5&csi=274668&oc=00240&perma=true&elb=t>

32

Hollingham v Head (1858) 4 CBNS 388, 27 LJCP 241. Court: English court pre-dating November 1874
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20980279300&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T20980292983&backKey=20_T20980292984&csi=279841&docNo=2&scrollToPosition=0

33

R v Blastland - [1985] 2 All ER 1095.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49F0-TWP1-615T&csi=274668&oc=00240&perma=true&elb=t>

34

R v Sawoniuk - [2000] All ER (D) 154.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4DXH-MH00-TWP1-713B&csi=274665&oc=00240&perma=true&elb=t>

35

R v Greenwood - [2004] All ER (D) 17 (Jun).

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=55Y7-JW31-DYBP-N4RK&csi=274665&oc=00240&perma=true&elb=t>

36

R v Pace and another.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20986330216&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T20986415502&backKey=20_T20986415503&csi=316762&docNo=1&scrollToPosition=114

37

R v Sang [1980] AC 402, [1979] 2 All ER 1222. Court: House of Lords.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20986427504&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T20986430194&backKey=20_T20986430195&csi=279841&docNo=1&scrollToPosition=114

38

R v King's Lynn Magistrates' Court, ex parte Holland - [1993] 2 All ER 377.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-6085&csi=274668&oc=00240&perma=true&elb=t>

39

R v Smurthwaite; R v Gill - [1994] 1 All ER 898.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4D74-5KD0-TWP1-6150&csi=274668&oc=00240&perma=true&elb=t>

40

R v Khan (Sultan) - [1996] 3 All ER 289.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J70-TWP1-61K0&csi=274668&oc=00240&perma=true&elb=t>

41

Khan v United Kingdom (Application 35394/97) (2000) 31 EHRR 45, 8 BHRC 310. Court: European Court of Human Rights.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T

20986573662&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20986573665&backKey=20_T20986573666&csi=279841&docNo=8&scrollToPosition=1482

42

R v Shannon [2001] 1 WLR 51, [2001] 1 Cr App Rep 168. Court: Court of Appeal.
http://www.lexisnexis.com/uk/legal/results/enhnonsearch.do?docLinkInd=true&ersKey=23_T20986709180&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20986736946&backKey=20_T20986736947&bct=A&csi=279841&docNo=1&scrollToPosition=37

43

R v P and others - [2001] 2 All ER 58.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-601M&csi=274668&oc=00240&perma=true&elb=t>

44

David Ormerod and Diane Birch. The evolution of the discretionary exclusion of evidence. Criminal Law Review 2004.

45

PART 32 - EVIDENCE - Civil Procedure Rules.
<http://www.justice.gov.uk/courts/procedure-rules/civil/rules/part32>

46

Jones v University of Warwick - [2003] 3 All ER 760.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-610V&csi=274668&oc=00240&perma=true&elb=t>

47

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

48

Funke v France (Application 10828/84) [1993] 1 CMLR 897, 16 EHRR 297. Court: European Court of Human Rights. <http://www.lexisnexus.com/uk/legal/search/homesubmitForm.do>

49

Saunders v United Kingdom (Application 19187/91) (1996) 23 EHRR 313, [1998] 1 BCLC 362. Court: European Court of Human Rights.
http://www.lexisnexus.com/uk/legal/returnTo.do?returnToKey=20_T20987259613

50

Murray v United Kingdom (Application 18731/91) (1996) 22 EHRR 29, (1996) Times, 9 February. Court: European Court of Human Rights.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20987277155&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20987277157&backKey=20_T20987277158&csi=279841&docNo=17&scrollToPosition=3420

51

R v S and another - [2009] 1 All ER 716.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=7V2C-XHX0-Y96Y-G391&csi=274668&oc=00240&perma=true&elb=t>

52

Jalloh v Germany (Application 54810/00) (2006) 44 EHRR 667, [2007] Crim LR 717. Court: European Court of Human Rights.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20987323214&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20987323216&backKey=20_T20987323217&csi=279841&docNo=2&scrollToPosition=114

53

Heaney and McGuinness v Ireland (Application No 34720/97) (2000) 33 EHRR 264, [2000] ECHR 34720/97. Court: European Court of Human Rights.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20987345757&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20987345759&backKey=20_T20987345760&csi=279841&docNo=1&scrollToPosition=0

54

O'Halloran and Francis v United Kingdom (App nos 15809/02 and 25624/02) - [2007] ECHR 15809/02.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4P3V-80X0-TWP1-G1DB&csi=274793&oc=00240&perma=true&elb=t>

55

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

56

THE KING APPELLANT; AND CHRISTIE RESPONDENT. - [1914] A.C. 545.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD60-TXD8-6174&csi=296986&oc=00240&perma=true&elb=t>

57

Parkes v R [1976] 3 All ER 380, [1976] 1 WLR 1251. Court: Privy Council.

http://www.lexisnexis.com/uk/legal/returnTo.do?returnToKey=20_T20987485970

58

O, R v [2005] EWCA Crim 3082 (2 November 2005).

<http://www.bailii.org/ew/cases/EWCA/Crim/2005/3082.html>

59

R v Collins; R v Keep [2004] EWCA Crim 33, [2004] 1 WLR 1705. Court: Court of Appeal.

<http://www.lexisnexis.com/uk/legal/search/homesubmitForm.do>

60

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

61

R v Betts [2001] EWCA Crim 224, [2001] 2 Cr App Rep 257. Court: Court of Appeal

<http://www.lexisnexis.com/uk/legal/search/enhRunRemoteLink.do?service=citator&csi=27>

9841&remotekey2=%5B2001%5D+All+ER+%28D%29+108+%28Feb%29&remotekey1=REPORT-CITATION&ersKey=23_T20994647075&backKey=20_T20994647080&citatorCC=GB&docViewState=default

62

Evidence - whether a suggested motive for making a false allegation is a fact for the purposes of section 34. Criminal Law Review 2000.

63

Adverse inference. Criminal Law Review 1999.

64

R v Webber - [2004] 1 All ER 770.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-7PC0-TWP1-60CC&csi=274668&oc=00240&perma=true&elb=t>

65

Mohammad, R. v [2009] EWCA Crim 1871 (12 June 2009).
<http://www.bailii.org/ew/cases/EWCA/Crim/2009/1871.html>

66

R v Condon and Condon [1997] 1 WLR 827, [1997] 1 Cr App Rep 185. Court: Court of Appeal.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20995052851&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20995052853&backKey=20_T20995052854&csi=279841&docNo=6&scrollToPosition=684

67

R v Argent.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20995071401&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T20995072699&backKey=20_T20995075000&csi=316617&docNo=2&hitNo=ORIGHIT_2&scrollToPosition=114

68

R v Argent.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20995071401&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T20995072699&backKey=20_T20995075000&csi=316617&docNo=2&hitNo=ORIGHIT_2&scrollToPosition=114

69

R v Betts and another - [2001] All ER (D) 108 (Feb).

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4SPK-6M40-TWP1-70XD&csi=274665&oc=00240&perma=true&elb=t>

70

R v Hoare; R v Pierce.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20995114321&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20995114326&backKey=20_T20995114327&csi=274662&docNo=1&scrollToPosition=0

71

R v Beckles - [2005] 1 All ER 705.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FJF-DXM0-TWP1-61K1&csi=274668&oc=00240&perma=true&elb=t>

72

R v Loizou.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20995133865&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20995133867&backKey=20_T20995133868&csi=274662&docNo=1&scrollToPosition=0

73

R v Compton and others - [2002] All ER (D) 149 (Dec).

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=55Y7-JTV1-DYBP-N08B&csi=274665&oc=00240&perma=true&elb=t>

74

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

75

R v Sharp [1988] 1 All ER 65, [1988] 1 WLR 7. Court: House of Lords.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20995187495&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20995187497&backKey=20_T20995187498&csi=279841&docNo=1&scrollToPosition=0

76

R v Hasan - [2005] 4 All ER 685.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4HH7-PSG0-TWP1-60JW&csi=274668&oc=00240&perma=true&elb=t>

77

R v Mushtaq [2005] UKHL 25, [2005] 3 All ER 885. Court: House of Lords.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21007680248&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21007680252&backKey=20_T21007680253&csi=279841&docNo=2&scrollToPosition=114

78

R v Pace and another.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T20986330216&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T20986415502&backKey=20_T20986415503&csi=316762&docNo=1&scrollToPosition=114

79

R v Fulling [1987] QB 426, [1987] 2 All ER 65. Court: Court of Appeal.
<http://www.lexisnexus.com/uk/legal/search/homesubmitForm.do>

80

R v Foster.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21007912817&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T21007926003&backKey=20_T21007926004&csi=274662&docNo=1&scrollToPosition=0

81

R v Goldenberg (1988) 88 Cr App Rep 285, 152 JP 557. Court: Court of Appeal.

<http://www.lexisnexis.com/uk/legal/search/homesubmitForm.do>

82

R v Crampton (1990) 92 Cr App Rep 369, [1991] Crim LR 277. Court: Court of Appeal.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21007956791&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21007956793&backKey=20_T21007956794&csi=279841&docNo=6&scrollToPosition=798

83

R v Wahab [2002] EWCA Crim 1570, [2003] 1 Cr App Rep 232. Court: Court of Appeal.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21007972525&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T21007977013&backKey=20_T21007977014&csi=279841&docNo=3&scrollToPosition=228

84

Re Proulx; R v Bow Street Magistrates' Court and another, ex parte Proulx - [2001] 1 All ER 57.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J90-TWP1-60VD&csi=274668&oc=00240&perma=true&elb=t>

85

R v Sherif and others.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008008452&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T21008018930&backKey=20_T21008018935&csi=274662&docNo=1&scrollToPosition=114

86

R v Delaney (1988) 88 Cr App Rep 338, 153 JP 103. Court: Court of Appeal
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008048352&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008048360&backKey=20_T21008048361&csi=279841&docNo=22&scrollToPosition=2622

87

R v McGovern - 92 Cr App Rep 228.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4G0V-17T0-TWW8-20J1&csi=280158&oc=00240&perma=true&elb=t>

88

Blackburn, R. v [2005] EWCA Crim 1349 (25 May 2005).
<http://www.bailii.org/ew/cases/EWCA/Crim/2005/1349.html>

89

R v Keenan [1990] 2 QB 54, [1989] 3 All ER 598. Court: Court of Appeal.
<http://www.lexisnexus.com/uk/legal/search/homesubmitForm.do>

90

R v Shillibier.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008153683&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008153686&backKey=20_T21008153687&csi=274662&docNo=1&scrollToPosition=0

91

R v Stephens and another.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008163717&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008163719&backKey=20_T21008163720&csi=274662&docNo=1&scrollToPosition=0

92

R v Samuel [1988] QB 615, [1988] 2 All ER 135. Court: Court of Appeal.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008186513&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008186515&backKey=20_T21008186517&csi=274662&docNo=1&scrollToPosition=0

ey=20_T21008186516&csi=279841&docNo=1&scrollToPosition=0

93

R v Alladice (1988) 87 Cr App Rep 380, [1988] Crim LR 608. Court: Court of Appeal.
<http://www.lexisnexis.com/uk/legal/search/casessubmitForm.do>

94

Cadder v Her Majesty's Advocate.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008213565&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008213567&backKey=20_T21008213568&csi=316762&docNo=1&scrollToPosition=228

95

R v Mason - [1987] 3 All ER 481.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49D0-TWP1-61MX&csi=274668&oc=00240&perma=true&elb=t>

96

R v Keenan - [1989] 3 All ER 598.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49G0-TWP1-603Y&csi=274668&oc=00240&perma=true&elb=t>

97

R v Canale [1990] 2 All ER 187, 91 Cr App Rep 1. Court: Court of Appeal.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008243655&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008243657&backKey=20_T21008243658&csi=279841&docNo=1&scrollToPosition=114

98

R v Stone [2005] EWCA Crim 105, [2005] Crim LR 569. Court: Court of Appeal.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008257198&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008261500&backKey=20_T21008261501&csi=279841&docNo=2&scrollToPosition=0

99

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

100

J.D. Jackson. The insufficiency of identification evidence based on personal impression. Criminal Law Review 1986.

101

Andrew Roberts. The problem of mistaken identification: some observations on process. International Journal of Evidence & Proof 2004.

102

R v O'Leary (1988) 87 Cr App Rep 387, 153 JP 69. Court: Court of Appeal.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008351991&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008351996&backKey=20_T21008351997&csi=279841&docNo=31&scrollToPosition=4332

103

R v Popat [1998] 2 Cr App Rep 208, 162 JP 369. Court: Court of Appeal.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008366337&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008366339&backKey=20_T21008366340&csi=279841&docNo=9&scrollToPosition=1026

104

R v Forbes - [2001] 1 All ER 686.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J90-TWP1-602T&csi=274668&oc=00240&perma=true&elb=t>

105

R v Folan.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T

21008393644&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008393647&backKey=20_T21008393648&csi=274662&docNo=1&scrollToPosition=114

106

R v Quinn.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008407545&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T21008408953&backKey=20_T21008408954&csi=316617&docNo=1&scrollToPosition=0

107

R v Nagah - (1990) 155 JP 229.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4S1B-CH50-TWW8-S083&csi=280389&oc=00240&perma=true&elb=t>

108

R v Marcus [2004] EWCA Crim 3387, [2005] Crim LR 384. Court: Court of Appeal.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008440507&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008450171&backKey=20_T21008450172&csi=279841&docNo=1&scrollToPosition=0

109

R v Ryan.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008460054&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008460056&backKey=20_T21008460057&csi=316617&docNo=2&scrollToPosition=0

110

Barnes v Chief Constable of Durham.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008480967&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008480969&backKey=20_T21008480970&csi=316617&docNo=1&scrollToPosition=0

111

Tido v R - [2012] 2 LRC 203.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=55J0-H501-DYJ0-81BM&csi=280207&oc=00240&perma=true&elb=t>

112

THE KING APPELLANT; AND CHRISTIE RESPONDENT. - [1914] A.C. 545.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD60-TXD8-6174&csi=296986&oc=00240&perma=true&elb=t>

113

R v Osborne; R v Virtue - [1973] 1 All ER 649.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-3KN0-TWP1-61CY&csi=274668&oc=00240&perma=true&elb=t>

114

R v McCay - [1991] 1 All ER 232.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4D74-5KD0-TWP1-61F0&csi=274668&oc=00240&perma=true&elb=t>

115

Criminal Justice Act 2003 (2003 c 44).

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4ST8-61N0-TWPY-Y1DV&csi=274768&oc=00240&perma=true&elb=t>

116

R v Lynch [2007] EWCA Crim 3035, [2008] 1 Cr App Rep 337. Court: Court of Appeal.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21008575480&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21008575481&backKey=20_T21008575482&csi=279841&docNo=2&scrollToPosition=0

117

Chinn, R. v [2012] EWCA Crim 501 (15 March 2012).

<http://www.bailii.org/ew/cases/EWCA/Crim/2012/501.html>

118

R v George [2002] EWCA Crim 1923, [2003] Crim LR 282. Court: Court of Appeal.
<http://www.lexisnexus.com/uk/legal/search/homesubmitForm.do>

119

REGINA v. TURNBULL AND ANOTHER REGINA v. WHITBY REGINA v. ROBERTS - [1977] Q.B. 224.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4K3D-RRF0-TXD5-X1NY&csi=296982&oc=00240&perma=true&elb=t>

120

R v Bentley (1991) 99 Cr App Rep 342. Court: Court of Appeal.
http://www.lexisnexus.com/uk/legal/search/enhRunRemoteLink.do?lexisReco=true&A=0.021423386029904457&bct=A&service=citation&linkInfo=C%23GB%23CRAPPREP%23VOL%2599%25PAGE%25342%25&langcountry=GB&ersKey=23_T21025695448&backKey=null&recommendsType=LexisRecoCitationSuggestions&lexisReco=true

121

JUNIOR REID APPELLANT AND THE QUEEN RESPONDENT ROY DENNIS APPELLANT AND THE QUEEN RESPONDENT OLIVER WHYLIE APPELLANT AND THE QUEEN RESPONDENT ERROL REECE AND OTHERS APPELLANTS AND THE QUEEN RESPONDENT [APPEALS FROM THE COURT OF APPEAL OF JAMAICA] - [1990] 1 A.C. 363.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4JT8-8WR0-TXD8-61P8&csi=296986&oc=00240&perma=true&elb=t>

122

Daley v R - [1993] 4 All ER 86.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-61JR&csi=274668&oc=00240&perma=true&elb=t>

123

R v Thornton [1995] 1 Cr App Rep 578, 158 JP 1155. Court: Court of Appeal.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21025748537&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21025748539&backKey=20_T21025748540&csi=279841&docNo=17&scrollToPosition=2052

124

R v Slater [1995] 1 Cr App Rep 584, [1995] Crim LR 244. Court: Court of Appeal.
http://www.lexisnexus.com/uk/legal/search/enhRunRemoteLink.do?lexisReco=true&A=0.09429681638724541&bct=A&service=citation&linkInfo=C%23GB%23CRAPPREP%23YEAR%251995%25PAGE%25584%25VOL%251%25&langcountry=GB&ersKey=23_T21025763682&backKey=null&recommendsType=LexisRecoCitationSuggestions&lexisReco=true

125

R v I [2007] EWCA Crim 923, [2007] 2 Cr App Rep 316. Court: Court of Appeal.
http://www.lexisnexus.com/uk/legal/returnTo.do?returnToKey=20_T21025781192

126

R v Fergus (1993) 98 Cr App Rep 313, 158 JP 49. Court: Court of Appeal.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21025816914&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21025816916&backKey=20_T21025816917&csi=279841&docNo=8&scrollToPosition=1127

127

Devlin P. The judge. Oxford: : Oxford University Press 1979.

128

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

129

KURUMA, SON OF KANIU APPELLANT; AND THE QUEEN RESPONDENT. ON APPEAL FROM THE COURT OF APPEAL FOR EASTERN AFRICA. - [1955] A.C. 197.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD30-TXD8-613J&csi=296986&oc=00240&perma=true&elb=t>

130

R v Sang [1980] AC 402, [1979] 2 All ER 1222. Court: House of Lords.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkId=true&ersKey=23_T21025971263&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21025971266&backKey=20_T21025971267&csi=279841&docNo=2&scrollToPosition=0

131

Scott and another v R; Barnes and others v R - [1989] 2 All ER 305.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49F0-TWP1-61B1&csi=274668&oc=00240&perma=true&elb=t>

132

A and others v Secretary of State for the Home Department (No 2) - [2006] 1 All ER 575.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4J84-TMG0-TWP1-61D2&csi=274668&oc=00240&perma=true&elb=t>

133

R v King's Lynn Magistrates' Court, ex parte Holland - [1993] 2 All ER 377.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-6085&csi=274668&oc=00240&perma=true&elb=t>

134

R v Smurthwaite; R v Gill - [1994] 1 All ER 898.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4D74-5KD0-TWP1-6150&csi=274668&oc=00240&perma=true&elb=t>

135

R v Khan (Sultan) - [1996] 3 All ER 289.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J70-TWP1-61K0&csi=274668&oc=00240&perma=true&elb=t>

136

Human rights: right to respect for private life Khan v United Kingdom (35394/97) (2001) 31 E.H.R.R. 45 (ECHR). Criminal Law Review 2000.

137

R v Chalkley; R v Jeffries - [1998] 2 All ER 155.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-60RP&csi=274668&oc=00240&perma=true&elb=t>

138

Gafgen v Germany (Application 22978/05) (2010) 52 EHRR 1, [2010] Crim LR 865. Court: European Court of Human Rights.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21026147269&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T21026162818&backKey=20_T21026162819&csi=279841&docNo=3&scrollToPosition=228

139

R v O'Leary (1988) 87 Cr App Rep 387, 153 JP 69. Court: Court of Appeal.

http://www.lexisnexis.com/uk/legal/search/enhRunRemoteLink.do?lexisReco=true&A=0.8541600682658985&bct=A&service=citation&linkInfo=C%23GB%23CRAPPREP%23VOL%2587%25PAGE%25387%25&langcountry=GB&ersKey=23_T21026189759&backKey=null&recommendsType=LexisRecoCitationSuggestions&lexisReco=true

140

REGINA v. CHRISTOU REGINA v. WRIGHT (CHRISTOPHER) - [1992] Q.B. 979.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4K3D-RRG0-TXD5-X1CP&csi=296982&oc=00240&perma=true&elb=t>

141

R v King's Lynn Magistrates' Court, ex parte Holland - [1993] 2 All ER 377.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-6085&csi=274668&oc=00240&perma=true&elb=t>

142

R v Chalkley; R v Jeffries - [1998] 2 All ER 155.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-60RP&csi=274668&oc=00240&perma=true&elb=t>

143

R v Walsh (1989) 91 Cr App Rep 161, [1989] Crim LR 822. Court: Court of Appeal.
http://www.lexisnexus.com/uk/legal/search/enhRunRemoteLink.do?lexisReco=true&A=0.09645694219097811&bct=A&service=citation&linkInfo=C%23GB%23CRAPPREP%23PAGE%25161%25VOL%2591%25&langcountry=GB&ersKey=23_T21026259022&backKey=null&recommendsType=LexisRecoCitationSuggestions&lexisReco=true

144

Susan Nash. What's the matter with section 78? Criminal Law Review 1999.

145

David Ormerod and Diane Birch. The evolution of the discretionary exclusion of evidence. Criminal Law Review 2004.

146

R v Nathaniel [1995] 2 Cr App Rep 565. Court: Court of Appeal.
http://www.lexisnexus.com/uk/legal/results/enhnonsearch.do?docLinkInd=true&ersKey=23_T21026316349&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21026316350&backKey=20_T21026316351&bct=A&csi=279841&docNo=1&scrollToPosition=0

147

Attorney General's Reference (No 3 of 1999) - [2001] 1 All ER 577.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J70-TWP1-61J5&csi=274668&oc=00240&perma=true&elb=t>

148

Criminal Justice and Police Act 2001.
<http://www.legislation.gov.uk/ukpga/2001/16/section/82>

149

R v Khan (Sultan) - [1996] 3 All ER 289.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J70-TWP1-61K0&csi=274668&oc=00240&perma=true&elb=t>

150

R v P and others - [2001] 2 All ER 58.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-601M&csi=274668&oc=00240&perma=true&elb=t>

151

Gafgen v Germany (Application 22978/05) (2010) 52 EHRR 1, [2010] Crim LR 865. Court: European Court of Human Rights.

http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21026497279&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21026497281&backKey=20_T21026497282&csi=279841&docNo=3&scrollToPosition=228

152

Her Majesty's Advocate v P (Scotland).

http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21026512848&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21026512850&backKey=20_T21026512851&csi=316762&docNo=1&scrollToPosition=0

153

R v Mason - [1987] 3 All ER 481.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49D0-TWP1-61MX&csi=274668&oc=00240&perma=true&elb=t>

154

REGINA v. CHRISTOU REGINA v. WRIGHT (CHRISTOPHER) - [1992] Q.B. 979.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4K3D-RRG0-TXD5-X1CP&csi=296982&oc=00240&perma=true&elb=t>

155

Williams and another v Director of Public Prosecutions - [1993] 3 All ER 365.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49F0-TWP1-619X&csi=274668&oc=00240&perma=true&elb=t>

156

R v Looseley; Attorney General's Reference (No 3 of 2000) - [2001] 4 All ER 897.
<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J90-TWP1-60F8&csi=274668&oc=00240&perma=true&elb=t>

157

Teixeira de Castro v Portugal (1998) 28 EHRR 101, [1998] Crim LR 751. Court: European Court of Human Rights. <http://www.lexisnexus.com/uk/legal/search/casessubmitForm.do>

158

Ho HL. State entrapment. Legal Studies 2011;**31**:71–95.
doi:10.1111/j.1748-121X.2010.00176.x

159

R v Looseley, A-G's Reference (No 3 of 2000) [2001] UKHL 53, [2001] 4 All ER 897. Court: House of Lords.
http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21026826239&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21026826241&backKey=20_T21026826242&csi=279841&docNo=3&scrollToPosition=228

160

R v Aujla [1998] 2 Cr App Rep 16. Court: Court of Appeal.
http://www.lexisnexus.com/uk/legal/search/enhRunRemoteLink.do?lexisReco=true&A=0.9873944799276771&bct=A&service=citation&linkInfo=C%23GB%23CRAPPREP%23YEAR%251998%25VOL%252%25PAGE%2516%25&langcountry=GB&ersKey=23_T21026845671&backKey=null&recommendsType=LexisRecoCitationSuggestions&lexisReco=true

161

Grant v R [2005] EWCA Crim 1089.
http://www.lexisnexus.com/uk/legal/results/enhnonsearch.do?docLinkInd=true&ersKey=23_T21026905936&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21026905937&backKey=20_T21026905938&bct=A&csi=274662&docNo=2&scrollToPosition=222

162

Warren v Attorney General for Jersey - [2011] 2 All ER 513.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=52VH-9P71-DYBP-M0N5&csi=274668&oc=00240&perma=true&elb=t>

163

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

164

Minet v Morgan (1873) 8 Ch App 361, 42 LJ Ch 627. Court: English court pre-dating November 1874. <http://www.lexisnexis.com/uk/legal/search/casessubmitForm.do>

165

R v Derby Magistrates' Court, ex parte B; and another appeal - [1995] 4 All ER 526.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-61HH&csi=274668&oc=00240&perma=true&elb=t>

166

R (on the application of Prudential plc and another) v Special Commissioner of Income Tax and another.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21027018113&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21027018117&backKey=20_T21027018119&csi=316762&docNo=1&scrollToPosition=0

167

BRENNAN v. THE UNITED KINGDOM - 39846/98 [2001] ECHR 596 (16 October 2001).

<http://www.bailii.org/eu/cases/ECHR/2001/596.html>

168

*R v Grant - [2005] All ER (D) 44 (May).

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=55Y7-JVY1-DYBP-N226&csi=274665&oc=00240&perma=true&elb=t>

169

Balabel and another v Air-India - [1988] 2 All ER 246.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49D0-TWP1-61NN&csi=274668&oc=00240&perma=true&elb=t>

170

R v King [1983] 1 All ER 929, [1983] 1 WLR 411. Court: Court of Appeal.

<http://www.lexisnexis.com/uk/legal/search/casessubmitForm.do>

171

Three Rivers District Council and others v Governor and Company of the Bank of England.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21040113664&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21040113666&backKey=20_T21040113667&csi=274662&docNo=1&scrollToPosition=115

172

THE QUEEN v. COX AND RAILTON. - (1884) 14 Q.B.D. 153.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4K3D-4RX0-TXD5-X1KJ&csi=296982&oc=00240&perma=true&elb=t>

173

Barclays Bank plc and others v Eustice and others - [1995] 4 All ER 511.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-618B&csi=274668&oc=00240&perma=true&elb=t>

174

Butler v Board of Trade [1971] Ch 680, [1970] 3 All ER 593. Court: Chancery Division.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21040153841&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21040153843&backKey=20_T21040153844&csi=279841&docNo=1&scrollToPosition=0

175

Francis & Francis (a firm) v Central Criminal Court - [1988] 3 All ER 775.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49G0-TWP1-60D2&csi=274668&oc=00240&perma=true&elb=t>

176

R v Seaton - [2011] 1 All ER 932.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=529J-YKP1-DYBP-M202&csi=274668&oc=00240&perma=true&elb=t>

177

Great Atlantic Insurance Co v Home Insurance Co and Others - [1981] 2 All ER 485.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-3KV0-TWP1-60T9&csi=274668&oc=00240&perma=true&elb=t>

178

General Accident Fire and Life Assurance Corpn Ltd v Tanter, The Zephyr [1984] 1 All ER 35, [1984] 1 WLR 100. Court: Queen's Bench Division.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21040226521&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T21040230412&backKey=20_T21040230413&csi=279841&docNo=3&hitNo=ORIGHIT_1&scrollToPosition=570

179

CALCRAFT v. GUEST. - [1898] 1 Q.B. 759.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4K4F-RWM0-TXD5-X1CM&csi=296982&oc=00240&perma=true&elb=t>

180

R v Tompkins (1977) 67 Cr App Rep 181, [1978] Crim LR 290. Court: Court of Appeal.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21040260199&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21040262801&backKey=20_T21040262802&csi=279841&docNo=8&scrollToPosition=1140

181

ITC Film Distributors v Video Exchange Ltd and others - [1982] 2 All ER 241.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-3KT0-TWP1-60PM&csi=274668&oc=00240&perma=true&elb=t>

182

Lord Ashburton v Pape - [1911-13] All ER Rep 708.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4FPP-FDK0-TWXJ-20YW&csi=279846&oc=00240&perma=true&elb=t>

183

Goddard and another v Nationwide Building Society - [1986] 3 All ER 264.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-3KV0-TWP1-60P5&csi=274668&oc=00240&perma=true&elb=t>

184

BUTLER v. BOARD OF TRADE [1970 B. No. 1479] - [1971] Ch. 680.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4JT8-6CY0-TXD6-Y17B&csi=296988&oc=00240&perma=true&elb=t>

185

Istil Group Inc and another v Zahoor and another - [2003] 2 All ER 252.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J90-TWP1-6017&csi=274668&oc=00240&perma=true&elb=t>

186

R v Derby Magistrates' Court, ex parte B; and another appeal - [1995] 4 All ER 526.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-61HH&csi=274668&oc=00240&perma=true&elb=t>

187

WHEELER v. LE MARCHANT. [1880 W. 1793] - (1881) 17 Ch.D. 675.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4JT8-6CV0-TXD6-Y1K2&csi=296988&oc=00240&perma=true&elb=t>

188

WAUGH APPELLANT AND BRITISH RAILWAYS BOARD RESPONDENTS - [1980] A.C. 521.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD40-TXD8-61FF&csi=296986&oc=00240&perma=true&elb=t>

189

ALFRED CROMPTON AMUSEMENT MACHINES LTD. APPELLANTS AND CUSTOMS AND EXCISE COMMISSIONERS (No. 2) RESPONDENTS - [1974] A.C. 405.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD40-TXD8-6168&csi=296986&oc=00240&perma=true&elb=t>

190

Guinness Peat Properties Ltd and others v Fitzroy Robinson Partnership (a firm) - [1987] 2 All ER 716.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-49F0-TWP1-60FC&csi=274668&oc=00240&perma=true&elb=t>

191

Re Barings plc and others; Secretary of State for Trade and Industry v Baker and others - [1998] 1 All ER 673.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-60MS&csi=274668&oc=00240&perma=true&elb=t>

192

Harmony Shipping Co SA v Davis and others - [1979] 3 All ER 177.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-3KT0-TWP1-612D&csi=274668&oc=00240&perma=true&elb=t>

193

R (on the Application of Kelly) v Warley Magistrates Court and another.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21040517053&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21040517055&backKey=20_T21040517056&csi=274662&docNo=1&scrollToPosition=114

194

Re L (a minor) (police investigation: privilege) - [1996] 2 All ER 78.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-4J80-TWP1-60S4&csi=274668&oc=00240&perma=true&elb=t>

195

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

196

WOOLMINGTON APPELLANT; AND THE DIRECTOR OF PUBLIC PROSECUTIONS RESPONDENT. - [1935] A.C. 462.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD30-TXD8-60BS&csi=296986&oc=00240&perma=true&elb=t>

197

R v Galbraith - [1981] 2 All ER 1060.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-3KT0-TWP1-614Y&csi=274668&oc=00240&perma=true&elb=t>

198

R v Gill - [1963] 2 All ER 688.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4CRN-PP80-TWP1-61NW&csi=274668&oc=00240&perma=true&elb=t>

199

R v Acott [1997] 1 All ER 706, [1997] 1 WLR 306. Court: House of Lords.

<http://www.lexisnexus.com/uk/legal/search/casessubmitForm.do>

200

BRATTY APPELLANT; AND ATTORNEY-GENERAL FOR NORTHERN IRELAND RESPONDENT. - [1963] A.C. 386.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4K4W-PD40-TXD8-6199&csi=296986&oc=00240&perma=true&elb=t>

201

R v Wang.

http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21040610802&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21040610804&backKey=20_T21040610805&csi=274662&docNo=1&scrollToPosition=0

202

Regina v Lambert - [2002] 2 AC 545.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4JT8-8WT0-TXD8-617R&csi=296986&oc=00240&perma=true&elb=t>

203

Dennis IH. The law of evidence. 5th ed. London: : Sweet & Maxwell 2013.

204

M`Naghten`s Case (1843) 10 Cl. & Fin. 200.

[http://www.lexisnexus.com/uk/legal/results/docview/attachRetrieve.do?csi=338869&A=0.17910976543836576&ersKey=23_T21040640278&urlEnc=ISO-8859-1&inline=y&smi=60414&componentseq=1&key=7YV4-G0V0-YC0H-X35H-00000-00&type=pdf&displayType=full_pdf&Ini=7YV4-G0V0-YC0H-X35H&docTitle=Daniel%20M|Naghten|s%20Case%20-%20\(1843\)%208%20ER%20718](http://www.lexisnexus.com/uk/legal/results/docview/attachRetrieve.do?csi=338869&A=0.17910976543836576&ersKey=23_T21040640278&urlEnc=ISO-8859-1&inline=y&smi=60414&componentseq=1&key=7YV4-G0V0-YC0H-X35H-00000-00&type=pdf&displayType=full_pdf&Ini=7YV4-G0V0-YC0H-X35H&docTitle=Daniel%20M|Naghten|s%20Case%20-%20(1843)%208%20ER%20718)

205

Homicide Act 1957. <http://www.legislation.gov.uk/ukpga/Eliz2/5-6/11/section/1>

206

R v Hunt - [1987] 1 All ER 1.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4S32-G3C0-TWP1-61MM&csi=274668&oc=00240&perma=true&elb=t>

207

Director of Public Prosecutions (Crown Prosecution Service CCU South West) v Wright; R (on the application of Scott and others v Taunton Deane Magistrates' Court.
http://www.lexisnexis.com/uk/legal/results/enhnonsearch.do?docLinkInd=true&ersKey=23_T21040708707&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21040708708&backKey=20_T21040708709&bct=A&csi=316762&docNo=1&scrollToPosition=0

208

Williams G. The Logic of "Exceptions". The Cambridge Law Journal 1988;**47**.
doi:10.1017/S0008197300118021

209

Salabiaku v France (Application 10589/83) (1988) 13 EHRR 379. Court: European Court of Human Rights. <http://www.lexisnexis.com/uk/legal/search/homesubmitForm.do>

210

R v Lambert - [2001] 3 All ER 577.
<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4HV7-56D0-TWP1-60CD&csi=274668&oc=00240&perma=true&elb=t>

211

Sheldrake v Director of Public Prosecutions.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21052981419&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21052981421&backKey=20_T21052981422&csi=274662&docNo=1&scrollToPosition=0

212

Sheldrake v DPP; A-G's Reference (No 4 of 2002) [2004] UKHL 43, [2005] 1 AC 264. Court: House of Lords.
http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21052999223&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21052999225&backKey=20_T21052999226&csi=279841&docNo=2&scrollToPosition=0

213

R v Lambert - [2001] 3 All ER 577.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4HV7-56D0-TWP1-60CD&csi=274668&oc=00240&perma=true&elb=t>

214

R v Johnstone - [2003] 3 All ER 884.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-7P90-TWP1-61K2&csi=274668&oc=00240&perma=true&elb=t>

215

R v Charget Ltd (t/a Contract Services) and others.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21053050782&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21053050784&backKey=20_T21053050785&csi=274662&docNo=1&scrollToPosition=0

216

R v Lambert - [2001] 3 All ER 577.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4HV7-56D0-TWP1-60CD&csi=274668&oc=00240&perma=true&elb=t>

217

R v Johnstone - [2003] 3 All ER 884.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4CSP-7P90-TWP1-61K2&csi=274668&oc=00240&perma=true&elb=t>

218

*R v Keogh - [2007] All ER (D) 105 (Mar).

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=55Y7-JST1-DYBP-N3G4&csi=274665&oc=00240&perma=true&elb=t>

219

R v Lambert - [2001] 3 All ER 577.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=4HV7-56D0-TWP1-60CD&csi=274668&oc=00240&perma=true&elb=t>

220

Sheldrake v Director of Public Prosecutions [2005] 1 All ER 237.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21052981419&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21052981421&backKey=20_T21052981422&csi=274662&docNo=1&scrollToPosition=0

221

A-G's Reference (No 1 of 2004), R v Edwards [2004] EWCA Crim 1025, [2005] 4 All ER 457. Court: Court of Appeal.

http://www.lexisnexis.com/uk/legal/search/enhRunRemoteLink.do?lexisReco=true&A=0.8295584090903456&bct=A&service=citation&linkInfo=C%23GB%23EWCACRIM%23PAGE%251025%25YEAR%252004%25&langcountry=GB&ersKey=23_T21053213177&backKey=null&recommendsType=LexisRecoCitationSuggestions&lexisReco=true

222

R v Makuwa [2006] EWCA Crim 175, [2006] 1 WLR 2755. Court: Court of Appeal.

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21053234878&format=GNBFULL&startDocNo=1&resultsUrlKey=0_T21053243664&backKey=20_T21053243665&csi=279841&docNo=3&scrollToPosition=0

223

Director of Public Prosecutions v Wright; R (on the application of Scott and others) v Taunton Deane Magistrates' Court - [2009] 3 All ER 726.

<http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=7WB6-C160-Y96Y-G26S&csi=274668&oc=00240&perma=true&elb=t>

224

A-G's Reference (No 1 of 2004), R v Edwards [2004] EWCA Crim 1025, [2005] 4 All ER 457. Court: Court of Appeal.

http://www.lexisnexis.com/uk/legal/search/enhRunRemoteLink.do?lexisReco=true&A=0.8295584090903456&bct=A&service=citation&linkInfo=C%23GB%23EWCACRIM%23PAGE%251025%25YEAR%252004%25&langcountry=GB&ersKey=23_T21053213177&backKey=null&recommendsType=LexisRecoCitationSuggestions&lexisReco=true

225

Sheldrake v DPP; A-G's Reference (No 4 of 2002) [2004] UKHL 43, [2005] 1 AC 264. Court: House of Lords.

http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21052999223&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21052999225&backKey=20_T21052999226&csi=279841&docNo=2&scrollToPosition=0

226

R v Lambert - [2001] 3 All ER 577.

<http://www.lexisnexus.com/uk/legal/docview/getDocForCuiReq?Ini=4HV7-56D0-TWP1-60CD&csi=274668&oc=00240&perma=true&elb=t>

227

Barnfather v Islington Education Authority [2003] EWHC 418 (Admin), [2003] 1 WLR 2318. Court: Divisional Court. <http://www.lexisnexus.com/uk/legal/search/casessubmitForm.do>

228

R v G.

http://www.lexisnexus.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T21053415028&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T21053415030&backKey=20_T21053415031&csi=274662&docNo=1&scrollToPosition=0

229

Simester A, editor. Appraising Strict Liability. Oxford University Press 2005. doi:10.1093/acprof:oso/9780199278510.001.0001

230

Roberts P. Strict Liability and the Presumption of Innocence: An Exposé of Functionalist Assumptions. In: Simester A, ed. Appraising Strict Liability. Oxford University Press 2005. 151-94. doi:10.1093/acprof:oso/9780199278510.003.0007

231

Duff RA. Strict Liability, Legal Presumptions, and the Presumption of Innocence. In: Simester A, ed. Appraising Strict Liability. Oxford University Press 2005. 125-50. doi:10.1093/acprof:oso/9780199278510.003.0006