

Instructing Legal Teams & Giving Evidence Lecture Notes

You may find these notes will assist you in taking your own notes.

Description

Confidently recognise, understand and use pre and post court procedures for instructing legal teams or representatives.

To understand processes relating to instructing legal teams such as:

- When should legal action be taken
- Preparation before court action is taken
- Human rights; enforcement concordats
- The Code for Crown Prosecutors
- Instructing Counsel; disclosure
- Pre-prosecution guidance
- Giving evidence and administration guidance on preparing court bundles.

Aims

To develop and enhance candidate's skills and techniques in instructing legal teams and representatives to successfully obtain legislative powers needed to moderate nuisance and anti-social behaviour.

Key Learning Points

Describe the pre and post court procedures available to instruct legal teams or representatives.

Explain and evaluate when, where, why and how the pre and post court procedures should be used to tackle anti-social and nuisance behaviour.

Identify and compare disclosure procedures within the pre and post court procedures.

Assess and analyse the presentation of evidence techniques in relation to giving evidence on cases of nuisance and anti-social behaviour in a court of law.

Human Rights Act 1998

- Articles General

- 6 – Fair trial

- 8 – Privacy and respect for family life

Data Protection Act 1998

Principles

National Enforcement

Concordat

- Overview of standards
- Openness
- Helpfulness
- Complaints
- Proportionality
- Consistency

Code for Crown Prosecutors

General principles

- Making decisions on cases

- Enough evidence

- Public interest test

Giving Evidence 2

– Court Preparation

- Review

- Practical

- Personal

– Cross examination

- To advance their case

- To undermine your case