Chapter: (p. 84) 4. The burden and standard of proof

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DOI: 10.1093/he/9780198811855.003.0004

This chapter discusses the rules governing which party bears the legal and evidential burdens on which facts in issue. These rules can determine the eventual outcome of proceedings; determine which party has the right to begin adducing evidence in court; in what circumstances a defendant, at the end of the case for the prosecution, or claimant, may make a successful submission of no case to answer; and how the trial judge should direct the jury. The chapter begins by defining and distinguishing the legal, evidential, and other burdens, and then considers in detail which burden is borne by each of the parties on the various facts in issue in any given case.
4. The burden and standard of proof

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