

UNIVERSITY EXAMINATIONS

1ST SEMESTER 2022/2023 ACADEMIC YEAR

SECOND YEAR EXAMINATION FOR THE DEGREE
BACHELOR OF ARTS IN CRIMINOLOGY AND
SECURITY STUDIES

CRSS 213: LAW OF EVIDENCE

STREAM: R

TIME: 2 HRS

DAY: MONDAY [14.30 – 16.30]

DATE: 19/12/2022

THIS QUESTION PAPER CONSISTS OF TWO (2) PAGES

PLEASE DO NOT OPEN UNTIL THE INVIGILATOR SAYS SO.

INSTRUCTIONS

- i. Question ONE is COMPULSORY**
- ii. Answer any other TWO Questions**
- iii. Do not write anything on the question paper**
- iv. Put off your cellphone**

QUESTION ONE

- (a) Explain, using examples the difference between Primary and secondary evidence. (10 marks)
- (b) Explain circumstances under which confession of a dying person is admissible as evidence. (8 marks)
- (c) Explain why privileged communication cannot be allowed as evidence. (8 marks)
- (d) Explain Onus of Proof (4 marks)

QUESTION TWO

Write brief notes on the following: -

- (a) Proved facts in evidence (5 marks)
- (b) Disapproved fact in evidence (5 marks)
- (c) *Caveat emptor* (5 marks)
- (d) Hearsay evidence, (5 marks)

QUESTION THREE

Explain the principle of Estoppel and how it affects admissibility of evidence. (20 marks)

QUESTION FOUR

- (a) Using appropriate examples explain circumstantial evidence (12 marks)
- (b) Explain the right to silence as a legal principle. (8 marks)

QUESTION FIVE

- (a) Name and explain Ten golden rules of giving evidence in court of law. (12 marks)
- (b) Explain Habeas corpus doctrine (8 marks)