

LAIKIPIA



UNIVERSITY

UNIVERSITY EXAMINATIONS

1ST SEMESTER 2023/2024 ACADEMIC YEAR

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

CRSS 213: LAW OF EVIDENCE

STREAM:

TIME: 2 HRS

DAY: TUESDAY [14.30-16.30 P.M]

DATE: 05/12/2023

THIS QUESTION PAPER CONSISTS OF THREE (3) 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**[30marks]**

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

QUESTION TWO**[20 marks]**

Write brief notes on the following:-

- a) Proved fact in evidence **(4 marks)**
- b) Expert witness **(4 marks)**
- c) An accomplice **(4 marks)**
- d) Lay witness **(4 marks)**
- e) Hearsay **(4 marks)**

QUESTION THREE**[20 marks]**

- a) Explain the principle of Estoppel and how it affects admissibility of evidence **(10 marks)**
- b) Discuss the circumstances under which hearsay evidence is admissible **(10 marks)**

QUESTION FOUR**[20 marks]**

Using appropriate examples explain the following

- a) Circumstantial evidence **(5 marks)**
- b) Documentary evidence **(5 marks)**
- c) Real evidence **(5 marks)**
- d) Demonstrative evidence **(5 marks)**



QUESTION FIVE

[20 marks]

- a) Explain how the “Burden of proof” maxim in court of laws lies with the accuser
(12 marks)
- b) Explain the right to silence as a legal principle.
(8 marks)

