

CHUKA



UNIVERSITY

UNIVERSITY EXAMINATIONS

**EXAMINATION FOR THE AWARD OF DEGREE OF BACHELOR OF SCIENCE IN
CRIMINOLOGY AND SECURITY STUDIES**

CRSS 310: LAW OF EVIDENCE

STREAMS: BSC (CRSS) (ODEL)

TIME: 2 HOURS

DAY/DATE: WEDNESDAY 06/10/2021

8.30 A.M – 10.30 A.M.

INSTRUCTIONS:

- **Answer question ONE and any other TWO.**

QUESTION ONE

- (a) Briefly discuss the following terms and phrases as used in evidence;
- (i) Evidence (4 marks)
 - (ii) Burden of proof (4 marks)
 - (iii) Weight of evidence (4 marks)
 - (iv) Identification (4 marks)
- (b) Examine four exceptions to the rule against hearsay evidence. (8 marks)
- (c) Discuss the law on introductory and explanatory facts in evidence. (6 marks)

QUESTION TWO (20 MARKS)

- (a) Discuss on the relevance of motive, preparation and conduct of an accused person in a criminal trial. (10 marks)
- (b) Examine the law relating to competency and compellability of witnesses. (10 marks)

QUESTION THREE (20 MARKS)

- (a) John has come to you in need of knowing the law governing electronic evidence in Kenya. Explain to him. (10 marks)

- (b) Discuss the principles governing the reception of a confession in Kenya. (10 marks)

QUESTION FOUR (20 MARKS)

Explain the following terms as used in law of evidence

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| (i) | Estoppel | (5 marks) |
| (ii) | Res gestae | (5 marks) |
| (iii) | Relevancy | (5 marks) |
| (iv) | Presumptions | (5 marks) |

QUESTION FIVE (20 MARKS)

- (a) Examine the law governing admissibility of evidence in Kenya. (10 marks)
- (b) Discuss the law governing circumstantial evidence. (10 marks)
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