



NATIONAL OPEN UNIVERSITY OF NIGERIA
UNIVERSITY VILLAGE, PLOT 91, CADASTRAL ZONE, NNAMDI AZIKIWE
EXPRESSWAY, JABI, ABUJA
FACULTY OF LAW

DEPARTMENT OF PUBLIC LAW
2023_2 EXAMINATIONS

COURSE CODE: LAW 446

COURSE TITL: EVIDENCE 11

TIME ALLOWED: 2 ½ HOURS

INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS)

Question 1

A confessional statement voluntarily made and which accords with the criteria set by the Evidence Act, 2011 is easily one of the best evidence in the hands of the prosecution against the defendant. Discuss. 25 marks

Question 2

As a general principle of law, hearsay evidence is not admissible in evidence. However, this rule is subject to certain recognized exceptions. Discuss. 15 marks

Question 3

John was charged with the offence of stealing. During his trial he offered evidence of the fact that he was the treasurer of his club and he was never found wanting. The prosecution opposes the admissibility of John's evidence. Discuss. 15 marks.

Question 4

Charles was charged with the offence of murder. The prosecution called evidence in proof of the charge and when the prosecution closed its case, Charles called evidence to defend himself. In its judgment, the court convicted Charles for the offence of murder on the basis that Charles did not convince the court that it did not commit the offence. Charles intends to appeal against the judgment. Discuss. 15 marks.

Question 5

There is no principle of law or procedure which mandates a party to a proceeding to call a particular number of witnesses. A witness is sufficient for a party to succeed if the evidence is relevant, admissible, credible and has high probative value. This is subject to certain exceptions where the law requires that there must be confirmation of an evidence before the court can act on it. Discuss. 15 marks.

Question 6

Judge's Rule do not have coercive force of law behind them. Yet they are important in the judicial process. Discuss. 15 marks.