



MURANG'A UNIVERSITY OF TECHNOLOGY
SCHOOL OF HUMANITIES AND SOCIAL SCIENCES

DEPARTMENT OF SOCIAL SCIENCES

UNIVERSITY ORDINARY EXAMINATION

2024/2025 ACADEMIC YEAR

SECOND YEAR FIRST SEMESTER EXAMINATION FOR BACHELOR
OF SCIENCE IN CRIMINOLOGY AND SECURITY STUDIES

CCS 200 – LAW OF EVIDENCE

DURATION: 2 HOURS

INSTRUCTIONS TO CANDIDATES:

1. Answer question ONE and any other two questions.
2. Mobile phones are not allowed in the examination room.
3. You are not allowed to write on this examination question paper.

SECTION A – ANSWER ALL QUESTIONS IN THIS SECTION

QUESTION ONE (30 MARKS)

- a. Explain the following basic concepts of the law of evidence:
 - i. Fact in issue (3 marks)
 - ii. Prima facie evidence (3 marks)
 - iii. Res gestae (4 marks)
- b. In order to prove the existence or non-existence of a fact, several categories of evidence emerge. Describe any FOUR classifications of evidence. (10 marks)
- c. The law of evidence is of great importance to judicial proceeding. Discuss four functions of the evidence law in judicial proceedings in Kenya. (10 marks)

SECTION B – ANSWER ANY TWO QUESTIONS IN THIS SECTION

QUESTION TWO (20 MARKS)

- a. Distinguish between repudiation and retraction of confession in evidence law. (5 marks)
- b. Competence refers to the ability, capability or qualification of witness to give evidence in a court of law. Evaluate FIVE competences in special cases. (15 marks)

QUESTION THREE (20 MARKS)

- a. A privilege is a right which the law confers on a person by allowing him / her to refuse to testify in a certain matter or produce certain items as a real evidence. Discuss FOUR instances where privilege can be raised in court. (10 marks)
- b. Where a confession is repudiated or retracted by the accused or he/she maintains that it was not voluntarily, before the confession may be admitted, the court must conduct a trial within a trial. Describe the procedure of conducting a trial within a trial. (10 marks)

QUESTION FOUR (20 MARKS)

Admissibility of out of court confession is governed by the evidence (out of court confessions) rules. Discuss the rules. (20 marks)