



NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS
SCHOOL OF LAW
MAY/JUNE 2012 EXAMINATION

LAW 445: LAW OF EVIDENCE I
TIME ALLOWED: 3HRS

INSTRUCTIONS: Attempt any five questions. All questions carry equal marks.

1. Justify the classification of the Evidence into direct, circumstantial, primary, secondary and real evidence indicating what should fall under the different categories.
2. Relevancy and Admissibility are the roots of Law of Evidence and regulate what fact that can be received in evidence and what cannot. Evaluate this statement.
3. Evidence is "All legal means, exclusive of mere argument, which tend to prove or disprove any matter of fact; the truth of which is submitted to judicial investigation". Taylor on Evidence. Discuss.
4. Inorder to succeed in any judicial proceedings a party must discharge the burden of roof placed on him and failure to discharge this burden is the certainty of failure. Discuss.
5. The standard of proof in civil proceedings is based on preponderance of evidence while standard of proof in criminal trials is based on proof beyond reasonable doubt. Evaluate this statement and illustrate your answer with decided cases.
6. Presumptions are inferences which the court ought to draw from given set of facts. Discuss.
7. Another way by which a court can take cognizance of a fact otherwise than by evidence is called Judicial Notice. Discuss.

8. Any statement made by a party to civil proceedings which statement is adverse to his case is known as admission. Discuss.
9. Enumerate and critique the types of Evidence.