

BACHELOR OF SCIENCE IN COMPUTER AND FORENSIC SCIENCE

FOURTH YEAR /SEMESTER 1

BEB 9410 : LAW OF EVIDENCE EXAM

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QUESTION ONE [30 Marks]

- (a) What is physical evidence important? **[5 Marks]**
- (b) There are exceptions to the Hearsay Rule and actually the exceptions are many more than the rule itself. State five exceptions. **[5 Marks]**
- (c) Explain the conditions upon which electronic evidence would be admissible in court in Kenya **[10 Marks]**
- (d) What ethical issues need to be considered when evaluating digital evidence? **[10 Marks]**

QUESTION TWO

- (a) No evidence shall be given in any suit or proceeding except evidence of the existence or non-existence of a fact in issue, and of any other fact declared by any provision of this Act to be relevant. Explain five facts that are relevant in evidence. **[10 Marks]**
- (b) Explain five facts courts in Kenya shall take judicial notice of . **[10 Marks]**

QUESTION THREE

- (a) The general rule in criminal law is that the burden of proof lies in the prosecution. State five exceptions to this rule. **[10 Marks]**
- (b) For private documents there is a distinction whether they are attested or not attested. State five instances where it will not be necessary to call the attesting witness **[10 Marks]**

QUESTION FOUR

- (a) In general evidence of bad character will not be admitted in court. State five exceptions to this rule in criminal cases. **[10 Marks]**

- (b) Once the digital evidence has been sent to the laboratory, a qualified analyst will take a number of steps to retrieve and analyze data. Elaborate.

[10 Marks]

QUESTION FIVE

Write Short and Concise notes on any FOUR of the following :

- (a) Estoppel by Deed
- (b) Fact in issue
- (c) Distinction between admissions and confessions
- (d) What is a document?
- (e) Opinion evidence