



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

DEPARTMENT OF PUBLIC LAW
2021_1 EXAMINATION QUESTIONS
JUNE, 2021_1

COURSE CODE: PUL 446

COURSE TITL: EVIDENCE 11

TIME ALLOWED: 3 HOURS

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

1. Chike is a driver with Land Travel Limited, a company that provides road transport for passengers and goods. On one of his trips, Chike was arrested by a Road Safety officer for driving his bus at the speed 130 Kilometres per hour contrary to traffic regulation that provides for a maximum speed limit of 100 Kilometres per hour. Chike has been charged to court and was convicted on the evidence of Timothy who testified against him. The prosecution did not bring any other witness. Discuss.
2. Bernard parked his car in front of his office in Abuja. John, a car thief, gained entrance into the car by using a gadget that demobilized the security system of the car. John drove the car to Lagos where he intends to sell the car. The incident of removing the car by John was observed by Theresa, a thirteen year old girl. Theresa has been invited to testify in the trial of John for the stealing of the car. Explain the legal implications of Theresa's evidence.
3. Gbenga was charged with the offence of armed robbery which resulted in grievous harm on Jude. The Police has arrested Gbenga and charged him with the offence of armed robbery. During trial for the offence, the prosecution offered evidence in proof of the offence charged. During his defence Gbenga claimed that he was drunk to the point of not knowing what he was doing at the time he committed the offence charged. Discuss.

4. Character evidence is generally not admissible in proof of the offence charged. This is a general rule subject to certain exceptions which exceptions are applicable under the Nigerian Law of Evidence. Discuss this position in the light of the Law of Evidence of Nigeria. 15 Marks
5. Subject to certain recognized exceptions, hearsay evidence is generally inadmissible in proof of facts. This is to ensure the veracity of facts admitted in evidence. Discuss.
6. Judges Rules are not enforceable by judicial process. They are merely administrative rules designed to enhance the administration of justice. Discuss.

