



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW, DEPARTMENT OF PUBLIC LAW
Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi – Abuja
2022_2 POP EXAMINATION

COURSE CODE: PUL 446

COURSE TITLE: EVIDENCE 11

TIME ALLOWED: 3 HOURS

INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. QUESTION 1 (ONE) ATTRACTS 25 MARKS, WHILE OTHER QUESTIONS CARRY 15MARKS EACH

1. Continental Airlines has an arrangement to allow their pilots lodge at Valley View hotel. Godson, who is not a pilot with the Airline, went to Valley View hotel and presented himself as a pilot with Continental Airlines and he was given accommodation in the hotel. Godson was later charged with cheating by impersonation and convicted. The prosecution did not lead evidence that Godson is not a pilot with the airline. He appealed against the judgment on the basis that the prosecution did not prove that he is not a pilot with the airline and his appeal was dismissed. Discuss the issues from the facts of the case and advise accordingly. 25marks
2. Gibson was charged with the offence of receiving stolen property knowing it to be stolen. During the course of the trial, Gibson gave evidence on his own behalf wherein he said that he was a treasurer to many organizations to which he belonged and served them meritoriously and honestly. The prosecution led evidence to show that Gibson stole some funds belonging to his social club when he was serving as one of the executives of the club. Discuss the legal issues. 15marks
3. Rose, Elizabeth, Rachael and Josephine are friends. Rose and Rachael went to visit Josephine in her house. During the visit, a quarrel ensued between Rose and Josephine as to the method of sharing profit arising from a business venture between them. Rose called Josephine a “prostitute”. When Rachael got home, she narrated to Elizabeth what happened during the visit and that Rose called Josephine a “prostitute”. Josephine filed a case for slander against Rose and Elizabeth testified that Rose called Elizabeth a prostitute. Discuss. 15marks
4. Judges’ rules were not developed by Nigerian judges. However, they are applicable in Nigeria because they are important in the dispensation of justice. Discuss. 15 Marks
5. Similar facts evidence is an important principle in the Law of Evidence. This is because they ensure that decisions are reached without biases and prejudice. Discuss. 15 Marks
6. Confessions play the role of admissions in criminal proceedings. Therefore, confession is only a form of admission. Discuss. 15marks