

**UNIVERSITY OF SWAZILAND
DEPARTMENT OF LAW**

95

SUPPLEMENTARY EXAMINATION PAPER, JULY 2012

TITLE OF PAPER : LAW OF EVIDENCE
COURSE CODE : DL040
TIME ALLOWED : THREE (3) HOURS
TOTAL MARKS : 100
INSTRUCTIONS : ANSWER FOUR (4) QUESTIONS

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN
GRANTED BY THE INVIGILATOR TO DO SO.**

Question 1

What is a confession and how is it admissible in the courts? (25 marks)

Question 2

(a) What is an admission by conduct? (13 marks)

(b) How may a court determine whether a confession or admission is admissible or not?
(12 marks)

(Total marks = 25)

Question 3

Discuss the two (2) rules applicable to examination in chief which ensure that evidence is led in a fair manner. (25 marks)

Question 4

Write notes on the following:

(a) Witnesses called by a court. (10 marks)

(b) Direct evidence. (5 marks)

(c) The order of evidence. (5 marks)

(d) Voice identification. (5 marks)

(Total marks = 25)

Question 5

(a) Is the evidence of a single witness sufficient for conviction? (10 marks)

(b) Discuss the term 'marital privilege'. (15 marks)

(Total marks = 25)