

BINDURA UNIVERSITY OF SCIENCE EDUCATION
FACULTY OF COMMERCE
DEPARTMENT OF INTELLIGENCE AND SECURITY STUDIES
BACHELOR OF BUSINESS ADMINISTRATION HONORS DEGREE IN
POLICE AND SECURITY STUDIES
PS309: LAW OF EVIDENCE
DURATION: 3 HOURS (100 marks)

JUN 2023

INSTRUCTIONS TO CANDIDATES

1. Answer **all** questions.
 2. Each question carries 20 marks.
 3. Credit shall be given for referring to case law, statute or any other authorities wherever applicable.
 4. Cell phones are not allowed into the examination room.
 5. Begin each fresh answer on a new page.
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QUESTION 1

Explain and discuss the approach of the courts to the following evidence.

- a) Evidence of accomplices. (10)
- b) Single witness evidence. (10)

[Total marks: 20]

QUESTION 2

- a) Explain in detail what you understand by character evidence. State why generally character evidence is inadmissible. (10)
- b) Discuss the forms of privilege recognized in Zimbabwe. (10)

[Total marks: 20]

QUESTION 3

- a) Explain the Judicial approach to the evidence relating to refreshment of memory. (10)
- b) Give a critical appraisal of the law relating to the admissibility of confessions in Zimbabwe. (10)

[Total marks: 20]

QUESTION 4

Mary, a 16 year old girl was sent to buy sugar by her mother. On her way to the shops, she passed through a bushy area. She met Kenny, who tripped her down and raped her. Kenny disappeared into the bush soon after committing the offence. Mary went back home crying. Upon arriving home, she narrated to her mother how Kenny had raped her. Kenny was later arrested and charged with rape. During investigations, the police gathered evidence to the effect that Kenny once faced allegations of raping 4 young girls in the same manner he raped Mary.

With the aid of case law discuss the evidential issues raised by the facts. **[20 marks]**

QUESTION 5

Discuss the law relating to the parole evidence rule.

[20 marks]